



COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE

DATE: June 13, 2008

TO: Planning Commission

SUBJECT: LAKE RANCHO VIEJO OPEN SPACE DESIGNATION; SPECIFIC PLAN AMENDMENT (SPA 07-001) AND MAJOR USE PERMIT MODIFICATION (P81-023W5); FALLBROOK COMMUNITY PLANNING AREA (District: 5)

SUMMARY:

Overview

The proposed project would amend the Lake Rancho Viejo Specific Plan (SPA 07-001) and modify a Major Use Permit (P81-023) to remove recreational vehicle parking on approximately 3.5 acres of land in the Lake Rancho Viejo Major Use Permit and to designate that land as biological open space. The project is located in the Lake Rancho Viejo Specific Plan in the Fallbrook Community Plan Area of the unincorporated County of San Diego. The site is located east of I-15, immediately adjacent to Keys Creek and a 78-acre Open Space preserve, and south of a residential area within the Lake Rancho Viejo Specific Plan. The project site, which is currently vacant, is located at the southern terminus of Lake Circle Street, and a planned extension of that street into the proposed open space will be vacated by the Major Use Permit modification.

Recommendation(s)

DEPARTMENT OF PLANNING & LAND USE

1. That the Planning Commission recommend to the Board of Supervisors to adopt the attached Resolution approving SPA 07-001 (Attachment B) for the Lake Rancho Viejo Specific Plan, which makes the appropriate findings and includes those requirements and conditions as necessary to ensure the project is implemented in a manner consistent with State Law and the County General Plan.
2. That the Planning Commission recommend to the Board of Supervisors to grant Major Use Permit Modification P81-023W5, which makes the appropriate findings and includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning ordinance and State Law (Attachment C).

Fiscal Impact

N/A

Business Impact Statement

N/A

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Advisory Board Statement

N/A

Involved Parties

Ms. Cheryl Kinsley, K. Hovnanian Lake Rancho Viejo LLC
Lee Vance, Vance and Associates

BACKGROUND:

The proposed project would amend the Lake Rancho Viejo Specific Plan (SPA 07-001) and modify a Major Use Permit (P81-023) to remove recreational vehicle parking on approximately 3.5 acres of land in the Lake Rancho Viejo Major Use Permit and to designate that land as biological open space.

The project is located in the Lake Rancho Viejo Specific Plan in the Fallbrook Community Plan Area of the unincorporated County of San Diego. The site is located east of I-15, immediately adjacent to Keys Creek and a 78-acre Open Space preserve, and south of a residential area within the Lake Rancho Viejo Specific Plan. The project site, which is currently vacant, is located at the southern terminus of Lake Circle Street, and a planned extension of that street into the proposed open space will be vacated by the Major Use Permit modification.

In 1996 the Lake Rancho Viejo Specific Plan was amended and the Major Use Permit was modified to allow conventional single family homes to be constructed in lieu of manufactured housing. After changing the housing product-type and subsequent flood control improvements to nearby Keys Creek, the applicant found that 3.5 acres previously designated for RV storage was no longer applicable. The 3.5-acre site is immediately adjacent to the 78-acre Open Space preserve.

PROJECT ISSUES:

The Fallbrook Community Planning Group and Fallbrook Design Review Board did not endorse the proposed project, stating that the open space would present a significant fire threat to the adjoining homes. Staff reviewed the community input and determined that the proposed expansion would not substantially increase the fire threat in this area. As shown in Exhibit 1, Attachment A, the existing residential area is surrounded by an existing open space preserve and the proposed designation would not substantially increase the wildland/urban interface. In fact, the entire preserve area (excluding a portion of Lake Circle Drive) was already granted to the County of San Diego as an open space easement on Final Map 12848 (Attachment A). Therefore, the proposed Specific Plan Amendment would only change the designation within the Lake Rancho Viejo Specific Plan and Major Use Permit from RV parking to open space to be consistent with the existing legal condition. The only open space designation change would be to Lake Circle Drive as noted above.

WAIVERS AND EXCEPTIONS:

There are no waivers or exceptions associated with this project.

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ENVIRONMENTAL STATUS:

Reliance on a Previously Certified Environmental Impact Report dated July 1, 1981 pursuant to the California Environmental Quality Act (CEQA) §15162 thru §15164. See Attachment D for the environmental documentation.

PREVIOUS ACTIONS:

In 2004, the Director of Public Works issued grading permit L-1582 to implement the third phase of the final map associated with the Lake Rancho Viejo Specific Plan. Approximately 1.1 million cubic yards of fill material was imported to raise the residential development out of the 100-year floodplain and the Keys Creek Channel was improved to accommodate a 100-year flood event.

Board of Supervisors approved Specific Plan Amendment 96-002 and Major Use Permit P81-023W4 in 1996 to allow conventional construction for Units 2 and 3.

Applicant withdrew request to allow conventional housing construction on Units 2 and 3 and delete the lake and replace it with recreational facilities in May 1997 (Major Use Permit P81-023W3).

Planning Commission approved Major Use Permit P81-023W2 to allow conventional construction for Unit 1 on December 15, 1995.

Board of Supervisors approved Specific Plan Amendment 84-02 and Major Use Permit P81-023W to revise the phasing as originally approved and to delete the Community Garden Area on August 22, 1984.

PUBLIC INPUT:

Fallbrook Community Planning Group: On March 17, 2008, the Fallbrook Planning Group voted Ayes - 11 Noes - 0 Abstentions - 0 (11-0-0) to recommend denial because of the potential fire danger associated with residential use types adjacent to biological open space.

Fallbrook Design Review Board: On March 12, 2008, the Fallbrook Design Review Committee voted to recommend denial of the request for biological open space because it would create a significant fire danger as demonstrated by the recent Rice Fire that was fueled in part by uncleared open spaces and further recommend that the developer and the homeowners work out a solution that would be mutually beneficial to both parties. The motion was passed unanimously. See Attachment E for Fallbrook Design Review Committee minutes.

Interstate-15 Design Review Board: The Interstate-15 Design Review Board has not taken formal action on this proposal.

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DEPARTMENT REASONS FOR RECOMMENDATION:

1. The project, as proposed, is consistent with the Fallbrook Community Plan, which designates this area as (21) Specific Plan.
2. The project, as proposed, is consistent with the Zoning Ordinance because it proposes 3.5 acres of open space, an allowed use within the RV-3 Use Regulation. The project also complies with the “B” and “P” designators. It was reviewed by the Fallbrook Design Review Committee in compliance with the “B” designator and by staff to determine compliance with the “P” designator (which applies to Planned Development Area regulations).
3. The project, as proposed, is consistent with the Lake Rancho Viejo Specific Plan text and with adjacent land uses (open space, residential) in the specific plan. In addition, modifications previously made to the Major Use Permit allowed construction of conventional homes in lieu of manufactured housing, which reduced the need for establishing recreational vehicle parking.
4. The project was sent to the I-15 Design Review Board and received no comment.
5. Staff was able to make Major Use Permit modification findings because the proposed extension of the open space preserve is compatible with adjacent uses:
 - The project is adjacent to a biological open space preserve, and the proposed expansion of that preserve will contribute to its environmental functions.
 - The project is adjacent to Keys Creek, and open space is more compatible than recreational vehicle storage to the functioning of Keys Creek. In addition, the Arroyo Toad was identified along Keys Creek and additional open space in this area would be beneficial to the species.
6. Staff reviewed comments from the Fallbrook Community Planning Group, which did not endorse the project due to concerns about fire threats in this area. Staff determined that the community concerns were not substantial enough to recommend project denial. The open space easement is existing and the only amount that will be added is the portion of land designated as Lake Circle Street. The area within the right-of-way is small when compared to the adjoining open space and will not create a significant risk involving wildland fires. The adjacent residential lots are protected from the open space preserve by setbacks and other features that would be identical to the subject lots.
7. The project complies with the California Environmental Quality Act and State and County CEQA Guidelines because the project will rely on a previously certified Environmental Impact Report dated July 1, 1981 on file with the Department of Planning and Land Use as Environmental Review No. ER80-02-136E.

cc: Lee Vance, Vance & Associates, 224 Seeman Drive, Encinitas, CA 92024
Ms. Cheryl Kinsley, K. Hovnanian Homes, 2525 Campus Dr., Irvine, CA. 92612

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Fallbrook Community Design Review Board
Fallbrook Community Planning Group
Interstate 15 Design Review Board
Nael Areigat, DPW Project Manager, Department of Public Works, M.S. O336
Rich Grunow, Planning Manager, Department of Planning and Land Use, M.S. O650
Lisa Robles, Case Closure, Department of Planning and Land Use, M.S. O650
Carl Hebert, Case Tracking System, Department of Planning and Land Use, M.S. O650

ATTACHMENTS:

Attachment A – Planning Documentation
Attachment B – Resolution Approval (SPA 07-001)
Attachment C – Form of Decision (P81-023W5)
Attachment D – Environmental Documentation
Attachment E – Public Documentation
Attachment F – Ownership Disclosure
Attachment G – Land Use Analysis

CONTACT PERSON:

Larry Hofreiter	_____
Name	_____
858-694-8846	_____
Phone	_____
858-694-8846	_____
Fax	_____
O650	_____
Mail Station	_____
Larry.Hofreiter@sdcounty.ca.gov.	_____
E-mail	_____

AUTHORIZED REPRESENTATIVE:


ERIC GIBSON, INTERIM DIRECTOR

Attachment A

Planning Documentation

3 - 7
ADDITIONAL INFORMATION
CASE SHEET

APPLICATION

Meeting Date: June 13, 2008

Type: Specific Plan Amendment & Major Use Permit Modification	Case No. SPA 07-001; P81-023w5
Owner/Applicant: K. Hovnanian Lake Rancho Viejo, LLC	ENVIRONMENTAL STATUS: CEQA §15162 through §15164: Reliance on Previously Certified Environmental Impact Report (FEIR July 1, 1981)
Agent: Lee Vance	
Project Manager: Larry Hofreiter	Analyst: Maggie Loy
Account No. 07-0074945	Log No. 80-021-136E

SITE/PROJECT DESCRIPTION

Community: Fallbrook	Location: Lake Circle Dr.	Thomas Bros.: 1048/J3
Project: Remove recreational vehicle parking area on apprx. 3.5 acres in the Lake Rancho Viejo Specific Plan area and designate the area as open space.		
Site: 3.5-acre site located at the terminus of Lake Circle Dr. in the Lake Rancho Viejo community.		
SURROUNDING LAND USES & ZONING: North: Single Family Residential RV-3	South: Biological Open Space RV-3	East: Biological Open Space RV-3
		West: Natural Flood Channel and Interstate 15. A-70

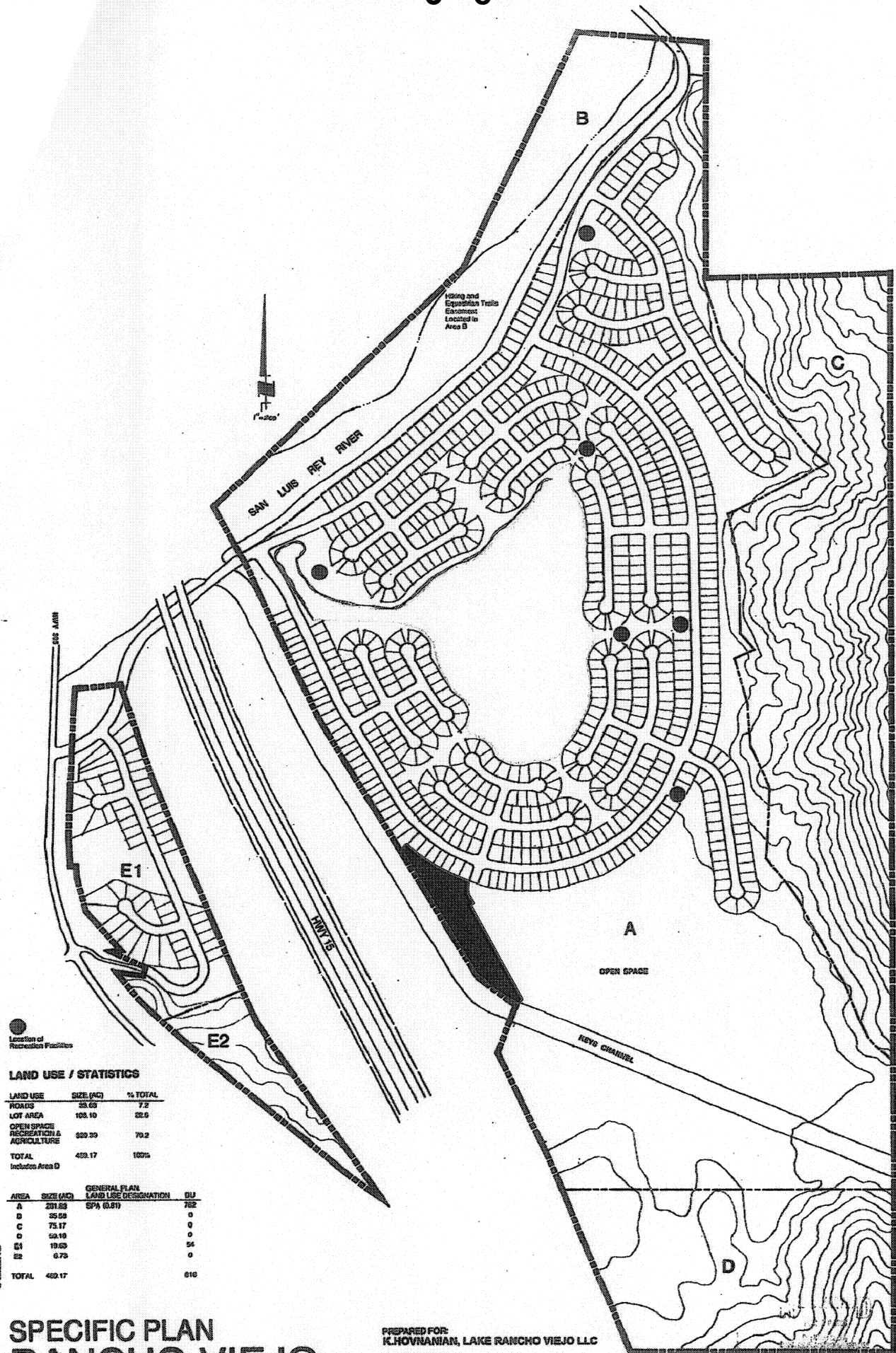
PROJECT STATISTICS

Total Area: 3.5 acres	Proposed Density: N/A
Lot Size: N/A	Number of Lots/Units: 2 open space lots / 0 units
DISTRICT	NEAREST FACILITY SERVICE LETTER AVAILABILITY
Sanitation: N/A	Yes <input type="checkbox"/> No <input type="checkbox"/>
Water: N/A	Yes <input type="checkbox"/> No <input type="checkbox"/>
Fire: North County Fire Protection District	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Elementary School: N/A	Yes <input type="checkbox"/> No <input type="checkbox"/>
High School: N/A	Yes <input type="checkbox"/> No <input type="checkbox"/>
Other: N/A	Yes <input type="checkbox"/> No <input type="checkbox"/>
Sphere of Influence: N/A	

GENERAL PLAN

ZONING

Community/Subregion: Fallbrook Designation/Density: (21) Specific Plan / .81 density	Existing: RV3 Proposed: RV3
Regional Category: Special Study Area Project/Plan Conformance: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Minimum Lot Size: 3,000 sq ft. Maximum Density: Project/Zone Consistency: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>



LAND USE / STATISTICS

LAND USE	SIZE (AC)	% TOTAL
ROADS	53.03	7.2
LOT AREA	105.10	22.9
OPEN SPACE RECREATION & AGRICULTURE	329.39	79.2
TOTAL	487.52	100%

Includes Area D

AREA	SIZE (AC)	GENERAL PLAN LAND USE DESIGNATION	DU
A	281.83	SP4 (0.81)	782
B	35.59		0
C	73.17		0
D	50.19		0
E1	19.63		54
E2	6.73		0
TOTAL	487.34		836

SHEET D

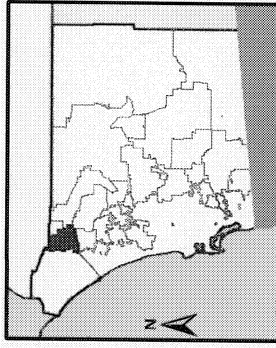
SPECIFIC PLAN RANCHO VIEJO

PREPARED FOR:
K. HOVNANIAN, LAKE RANCHO VIEJO LLC

PREPARED BY:
VANCE & ASSOCIATES



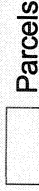
**Lake Rancho Viejo
Specific Plan
Amendment and Use
Permit Modification
SPA 07-001; P81-
023w5**

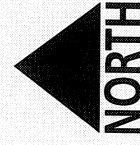
VICINITY MAP
Fallbrook Community Planning Area



1:3,500,000

Legend

-  Site
-  Roads
-  Parcels

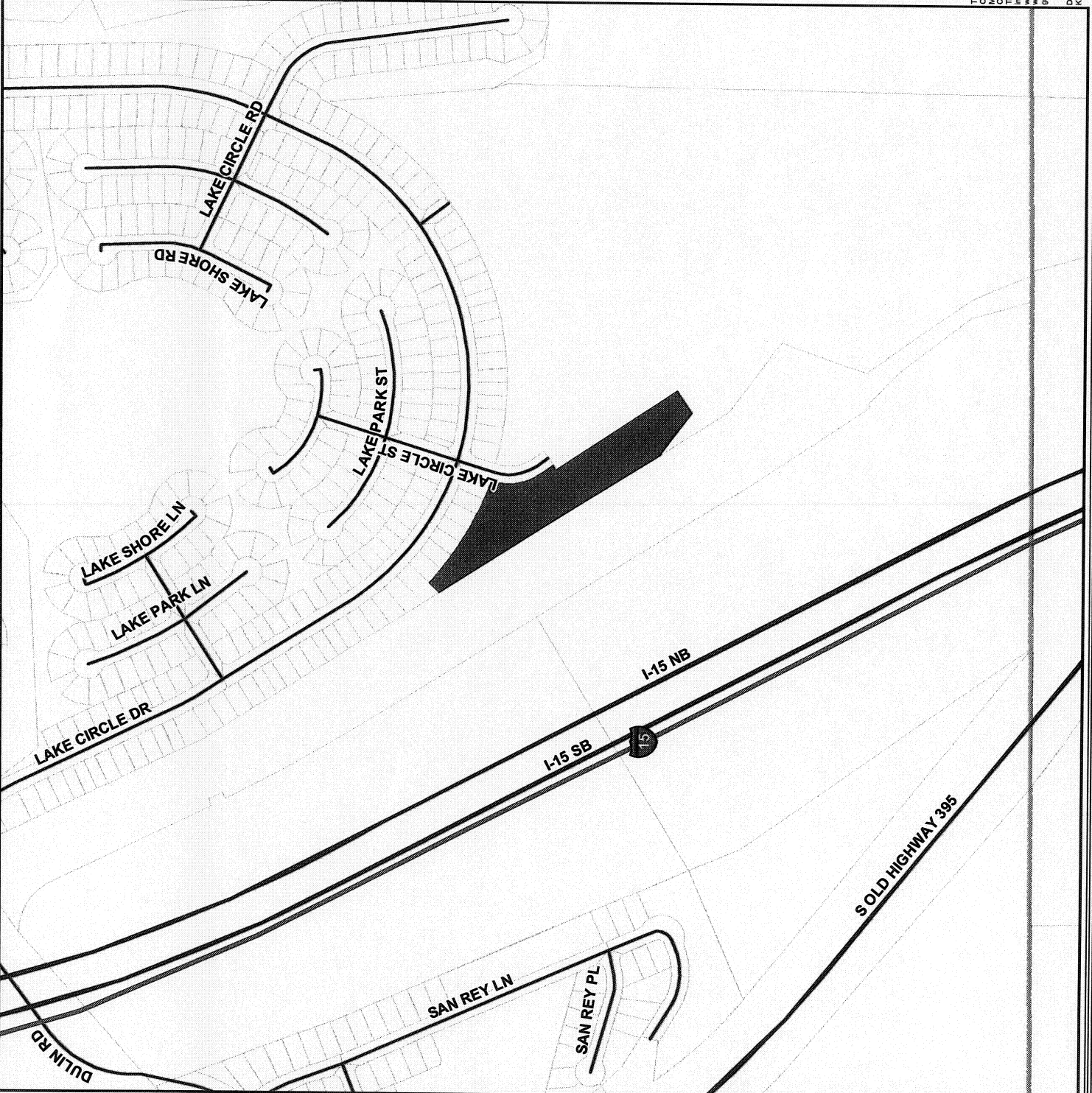


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Feet



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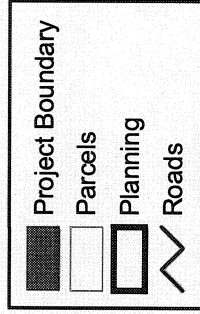


Lake Rancho Viejo Specific Plan Amendment and Use Permit Modification SPA 07-001; P81- 023w5

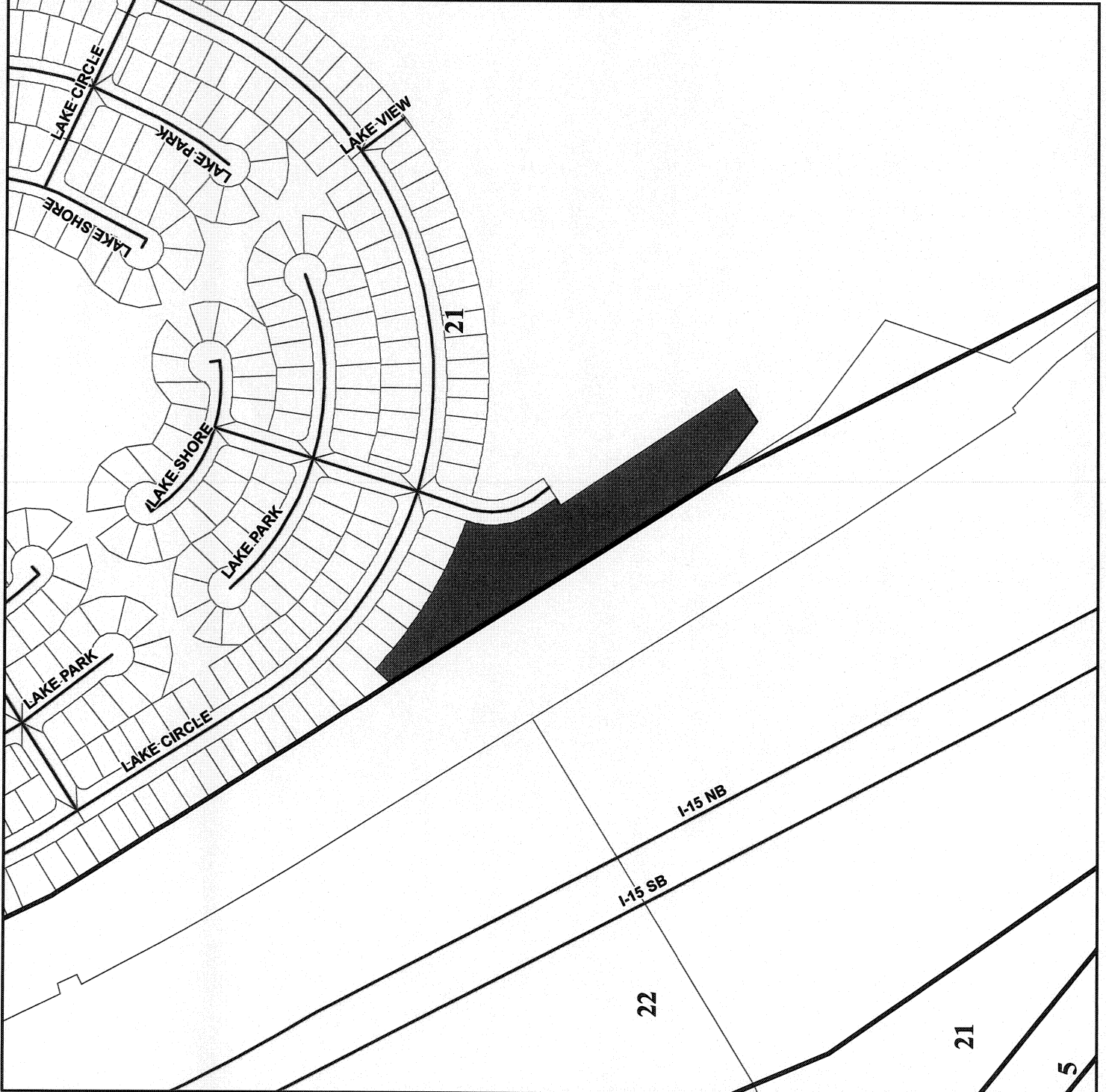
Planning Map

Fallbrook
Community Planning Area

- (5) Residential
4.3 DU/ACRE
- (21) Specific Plan Area
- (22) Public/Semi-Public Lands



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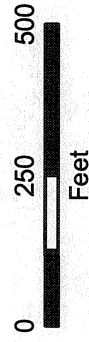
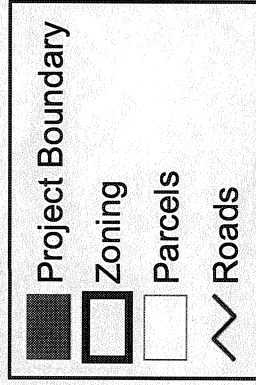


**Lake Rancho Viejo
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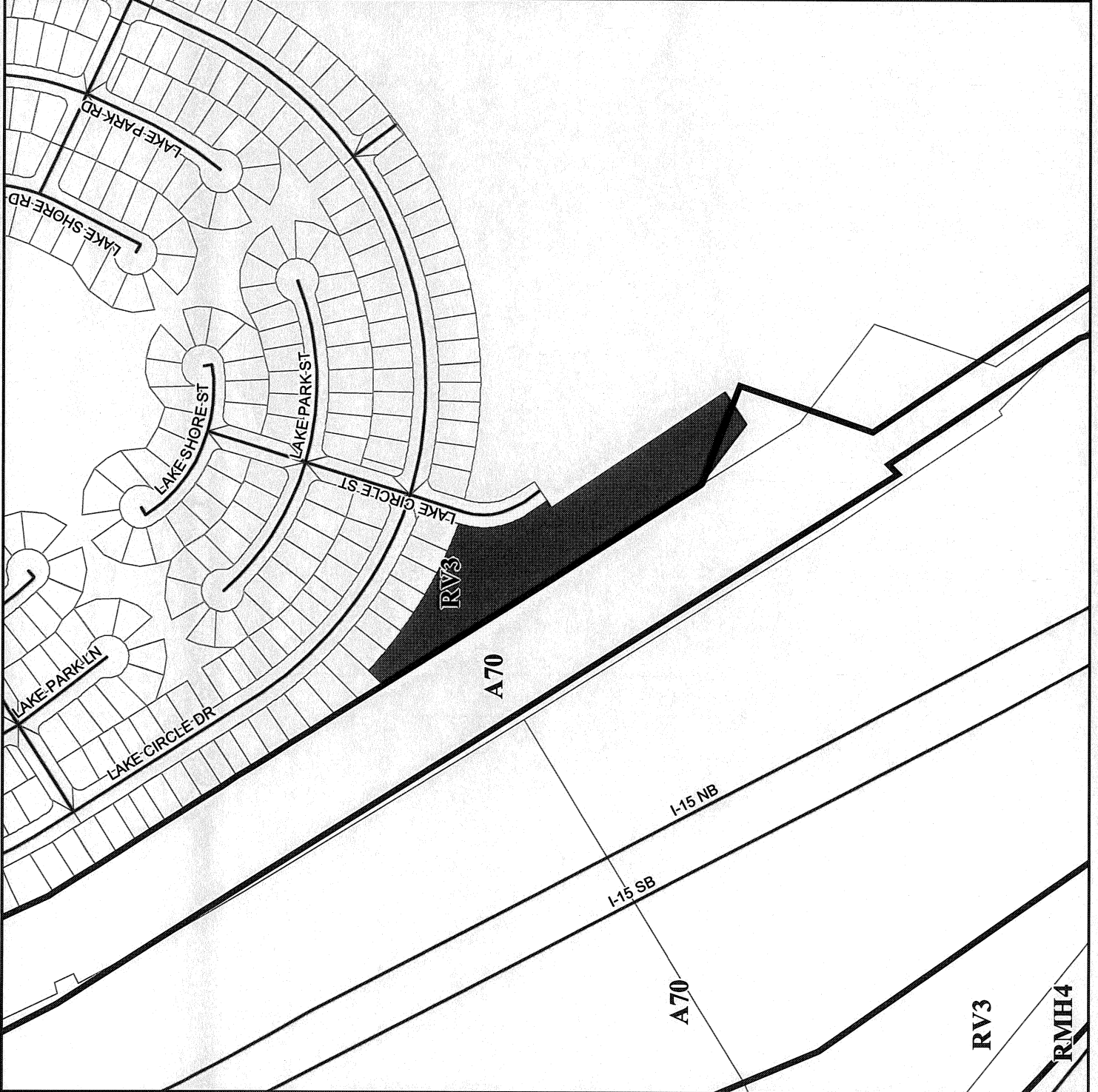
Existing Zoning Map

Fallbrook
Community Planning Area

(RV3) RESIDENTIAL - VARIABLE
(A70) LIMITED AGRICULTURE
(RMH4) RESIDENTIAL MOBILEHOME



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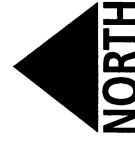
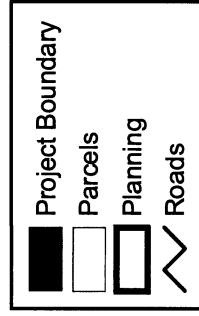


**Lake Rancho Viejo
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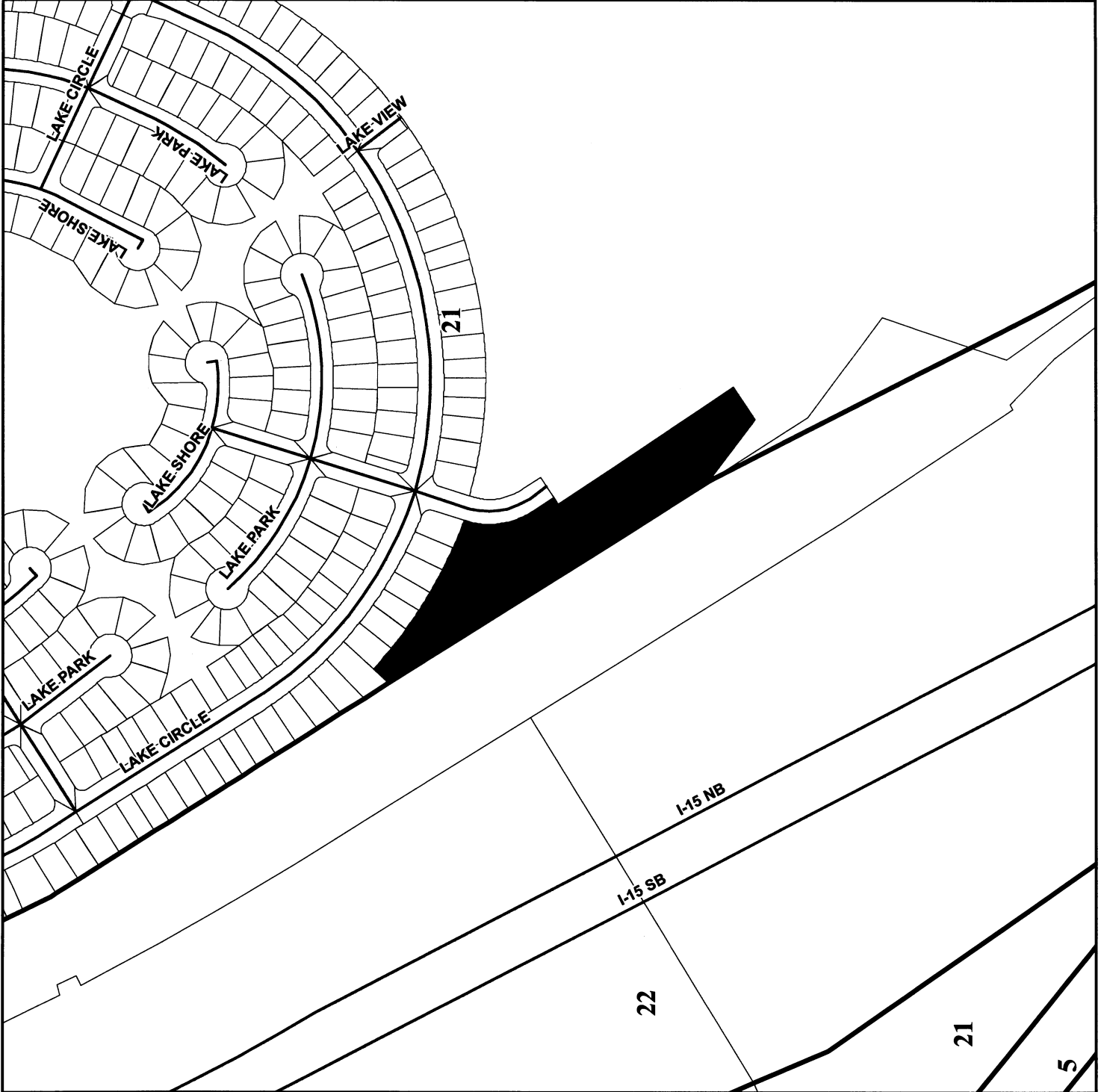
Planning Map

Fallbrook
Community Planning Area

- (5) Residential
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- (21) Specific Plan Area
- (22) Public/Semi-Public Lands



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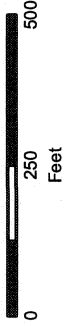
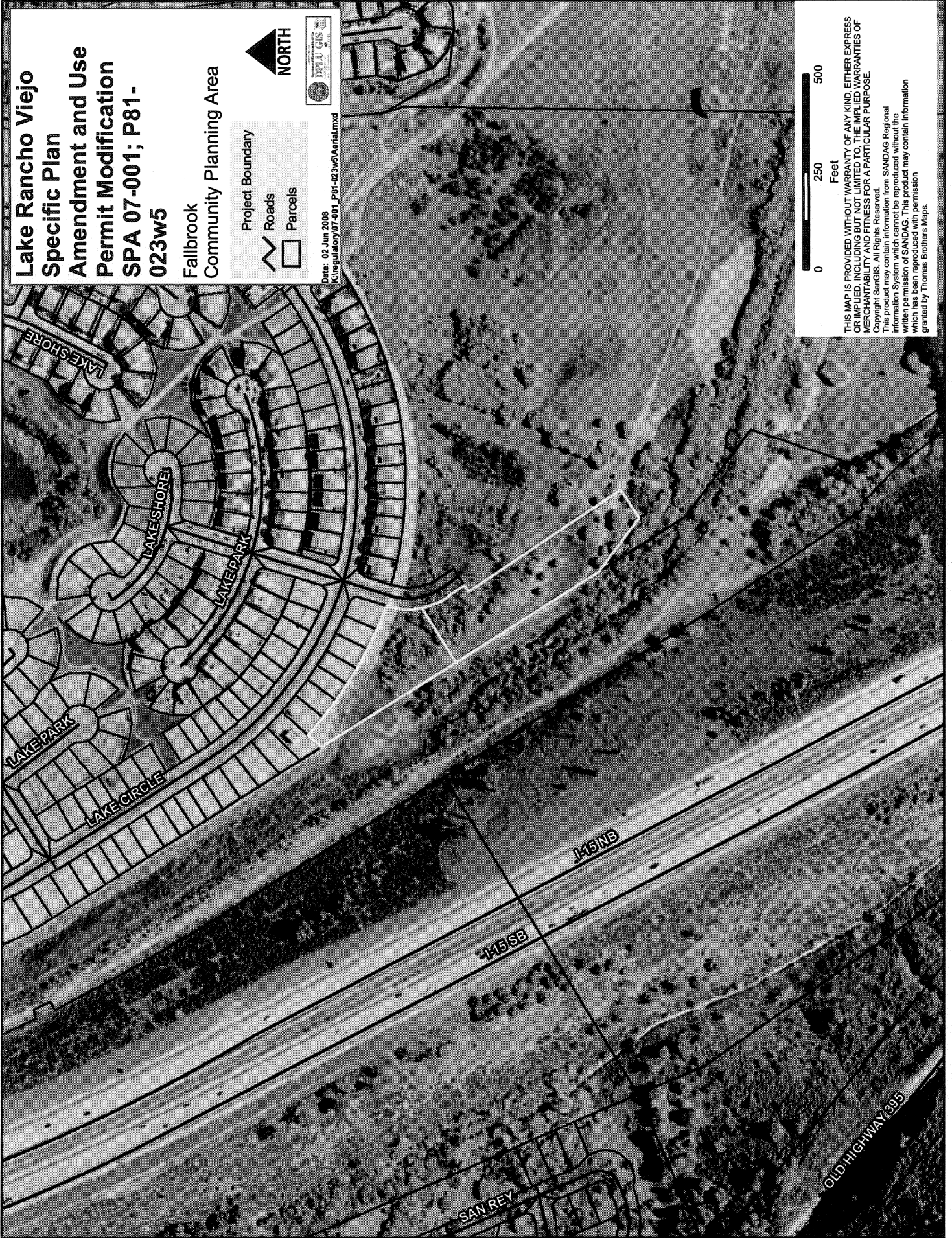
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Fallbrook
Community Planning Area

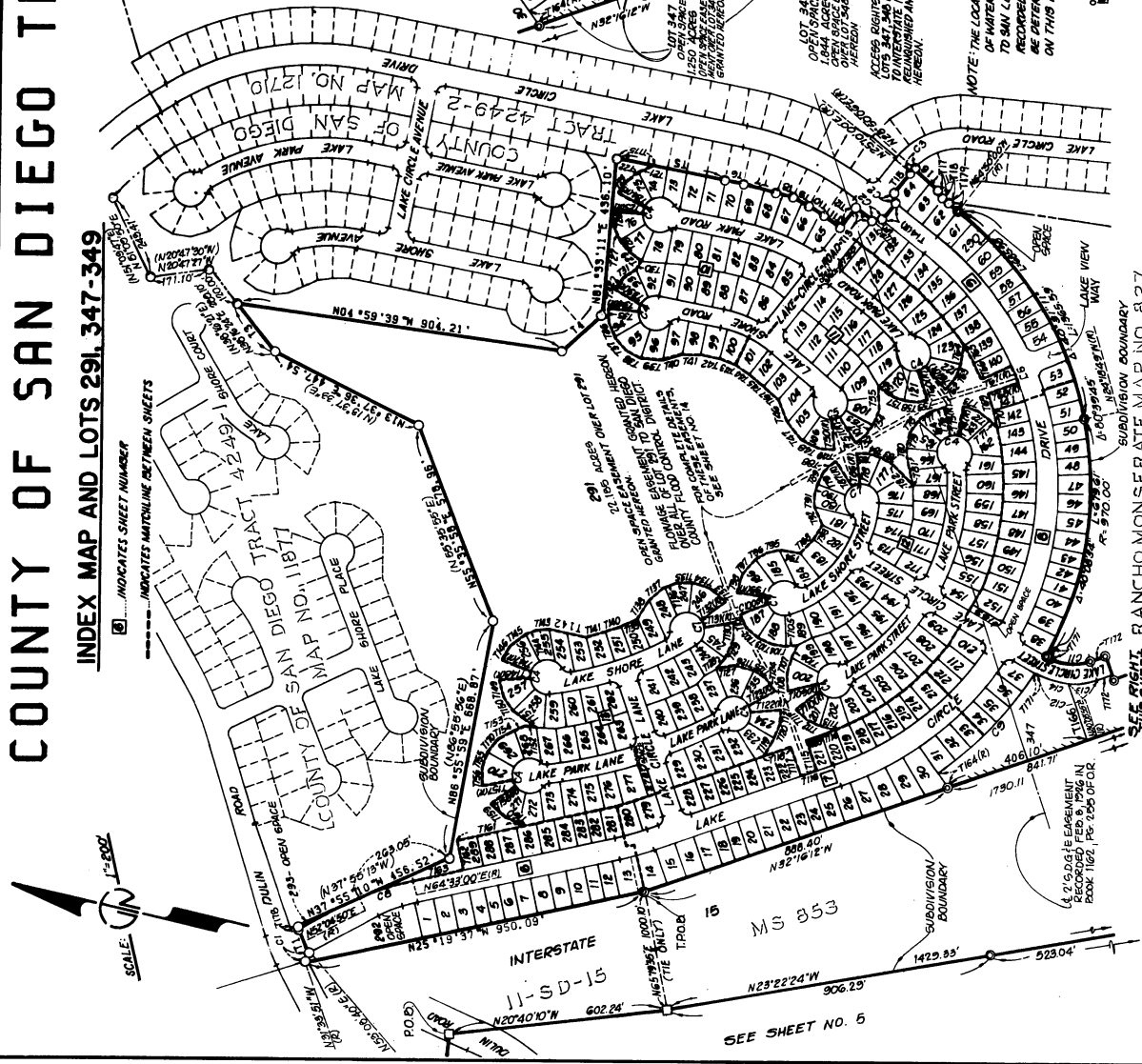
- Project Boundary
- Roads
- Parcels



Date: 02 Jun 2008
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C4	80.00	19.58.57	30.00	10.15
C5	100.00	4.28.56	26.00	77.25
C6	270.00	3.22.51	16.18	24.00
C7	540.00	18.50.11	16.18	24.00
C8	810.00	18.50.11	16.18	24.00
C9	1080.00	18.50.11	16.18	24.00
C10	1350.00	18.50.11	16.18	24.00
C11	1700.00	5.00.45	22.50	43.50
C12	1950.00	5.00.45	22.50	43.50
C13	2200.00	5.00.45	22.50	43.50
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C15	2700.00	5.00.45	22.50	43.50

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T7123	71.00	N 55° 20' 15" E
T7124	15.00	N 58° 20' 00" E
T7125	105.00	N 2° 00' 00" W
T7126	86.05	N 56° 40' 15" E
T7127	46.57	N 4° 01' 55" E
T7128	20.00	N 53° 08' 40" E
T7129	39.86	N 25° 00' 00" E
T7130	—	N 25° 10' 00" W

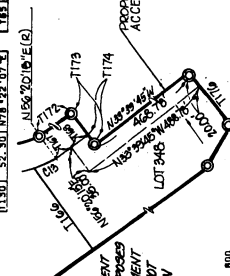
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1132	05.00	N43°13'55"W
1133	55.02	N28°49'54"E
1134	55.02	N47°30'E
1135	59.89	N15°36'40"E
1136	39.93	N52°32'30"W
1137	55.57	N53°54'10"W
1138	60.90	N72°16'01"W
1139	50.18	N32°40'11"W
1140	45.83	N32°40'11"W

1267	95.00	84.3	43.1	05.5	%	1272	41.39	348.10	107.37	%
1268	95.00	85.5	41.4	06.1	%	1273	41.39	367.41	107.37	%
1269	95.00	85.5	41.4	06.1	%	1274	41.39	367.41	107.37	%
1270	95.00	85.5	41.4	06.1	%	1275	95.00	14.100	56.24	%
1271	95.00	85.5	41.4	06.1	%	1276	95.00	8.951	28.24	%
1272	41.39	376.55	127.42	%	1277	41.39	377.11	127.42	%	
1273	41.39	377.11	127.42	%	1278	41.39	353.17	74.00	%	
1274	41.39	353.17	74.00	%	1279	41.39	353.17	74.00	%	
1275	95.00	85.5	41.4	06.1	%	1280	42.19	325.102	56.53	%
1276	95.00	85.5	41.4	06.1	%	1281	42.19	325.102	56.53	%
1277	95.00	85.5	41.4	06.1	%	1282	42.19	325.102	56.53	%
1278	95.00	85.5	41.4	06.1	%	1283	42.19	325.102	56.53	%
1279	95.00	85.5	41.4	06.1	%	1284	42.19	325.102	56.53	%
1280	95.00	85.5	41.4	06.1	%	1285	42.19	325.102	56.53	%
1281	95.00	85.5	41.4	06.1	%	1286	42.19	325.102	56.53	%
1282	95.00	85.5	41.4	06.1	%	1287	42.19	325.102	56.53	%
1283	95.00	85.5	41.4	06.1	%	1288	42.19	325.102	56.53	%
1284	95.00	85.5	41.4	06.1	%	1289	42.19	325.102	56.53	%
1285	95.00	85.5	41.4	06.1	%	1290	42.19	325.102	56.53	%
1286	95.00	85.5	41.4	06.1	%	1291	42.19	325.102	56.53	%
1287	95.00	85.5	41.4	06.1	%	1292	42.19	325.102	56.53	%
1288	95.00	85.5	41.4	06.1	%	1293	42.19	325.102	56.53	%
1289	95.00	85.5	41.4	06.1	%	1294	95.00	8.122	28.48	%
1290	95.00	85.5	41.4	06.1	%	1295	95.00	8.122	28.48	%
1291	95.00	85.5	41.4	06.1	%	1296	95.00	8.122	28.48	%
1292	95.00	85.5	41.4	06.1	%	1297	95.00	8.122	28.48	%
1293	95.00	85.5	41.4	06.1	%	1298	95.00	8.122	28.48	%
1294	95.00	85.5	41.4	06.1	%	1299	95.00	8.122	28.48	%
1295	95.00	85.5	41.4	06.1	%	1300	95.00	8.122	28.48	%
1296	95.00	85.5	41.4	06.1	%	1301	95.00	8.122	28.48	%
1297	95.00	85.5	41.4	06.1	%	1302	95.00	8.122	28.48	%
1298	95.00	85.5	41.4	06.1	%	1303	95.00	8.122	28.48	%
1299	95.00	85.5	41.4	06.1	%	1304	95.00	8.122	28.48	%
1300	95.00	85.5	41.4	06.1	%	1305	95.00	8.122	28.48	%
1301	95.00	85.5	41.4	06.1	%	1306	95.00	8.122	28.48	%
1302	95.00	85.5	41.4	06.1	%	1307	95.00	8.122	28.48	%
1303	95.00	85.5	41.4	06.1	%	1308	95.00	8.122	28.48	%
1304	95.00	85.5	41.4	06.1	%	1309	95.00	8.122	28.48	%
1305	95.00	85.5	41.4	06.1	%	1310	95.00	8.122	28.48	%
1306	95.00					1311	95.00			

[illegible][illegible]

195	41.39	67.93	103.91	13.39	
196	41.39	67.93	103.91	13.39	
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198	41.39	67.93	103.91	13.39	
199	41.39	67.93	103.91	13.39	
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239	41.39	67.93	103.91	13.39	
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241	41.39	67.93	103.91	13.39	
242	41.39	67.93	103.91	13.39	
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245	41.39	67.93	103.91	13.39	
246	41.39	67.93	103.91	13.39	
247	41.39	67.93	103.91	13.39	
248	41.39	67.93	103.91	13.39	
249	41.39	67.93	103.91	13.39	
250	41.39	67.93	103.91	13.39	
251	41.39	67.93	103.91	13.39	
252	41.39	67.93	103.91	13.39	
253	41.39	67.93	103.91	13.39	
254	41.39	67.93	103.91	13.39	
255	41.39	67.93	103.91	13.39	
256	41.39	67.93	103.91	13.39	
257	41.39	67.93	103.91	13.39	
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267	41.39	67.93	103.91	13.39	
268	41.39	67.93	103.91	13.39	
269	41.39	67.93	103.91	13.39	
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364	41.39	67.93	103.91	13.39	
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370	41.39	67.93	103.91	13.39	
371	41.39	67.93	103.91	13.39	
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402	41.39	67.93	103.91	13.39	
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405	41.39	67.93	103.91	13.39	
406	41.39	67.93	103.91	13.39	
407	41.39	67.93	103.91	13.39	
408	41.39	67.93	103.91	13.39	
409	41.39	67.93	103.91	13.39	
410	41.39	67.93	103.91	13.39	
411	41.39	67.93	103.91	13.39	
412	4				

THE LOCATION OF AN EASEMENT FOR ACCESS AND DEVELOPMENT OF WATER, WELL SITES, WATER WORKS AND INCIDENTAL PURPOSES TO SAN LUIS REY MUNICIPAL WATER DISTRICT PER DOCUMENT RECORDED OCT. 7, 1989, AS FILE # 89-362222 OF D.C., CANNOT BE DETERMINED FROM SAID DOCUMENT, AND IS NOT SHOWN ON THIS MAP.



DETAIL "A"

GRADING PLAN L - 1582

CALIF. COORD. INDEX - 418-1719X

COUNTY TM 4249-3

MAP NO. 12048

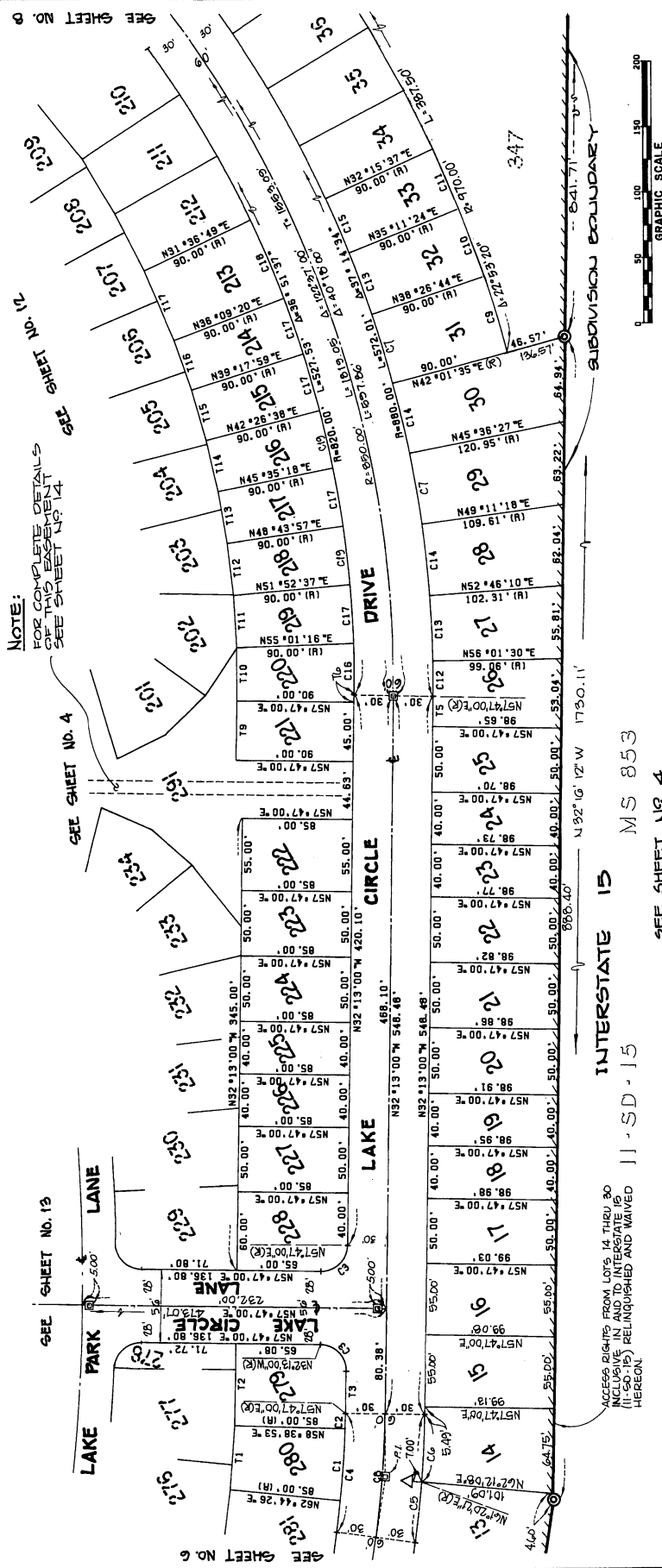
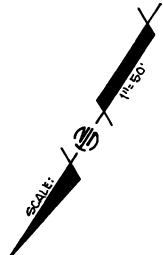
COUNTY OF SAN DIEGO TRACT 4249-3

SHEET 7 OF 18 SHEETS

TABULATED DATA

LOT	AREA	PERM	TRM
C1	10.00	10.00	10.00
C2	10.00	10.00	10.00
C3	10.00	10.00	10.00
C4	10.00	10.00	10.00
C5	10.00	10.00	10.00
C6	10.00	10.00	10.00
C7	10.00	10.00	10.00
C8	10.00	10.00	10.00
C9	10.00	10.00	10.00
C10	10.00	10.00	10.00
C11	10.00	10.00	10.00
C12	10.00	10.00	10.00
C13	10.00	10.00	10.00
C14	10.00	10.00	10.00
C15	10.00	10.00	10.00
C16	10.00	10.00	10.00
C17	10.00	10.00	10.00
C18	10.00	10.00	10.00
C19	10.00	10.00	10.00
C20	10.00	10.00	10.00
C21	10.00	10.00	10.00
C22	10.00	10.00	10.00
C23	10.00	10.00	10.00
C24	10.00	10.00	10.00
C25	10.00	10.00	10.00
C26	10.00	10.00	10.00
C27	10.00	10.00	10.00
C28	10.00	10.00	10.00
C29	10.00	10.00	10.00
C30	10.00	10.00	10.00
C31	10.00	10.00	10.00
C32	10.00	10.00	10.00
C33	10.00	10.00	10.00
C34	10.00	10.00	10.00
C35	10.00	10.00	10.00
C36	10.00	10.00	10.00
C37	10.00	10.00	10.00
C38	10.00	10.00	10.00
C39	10.00	10.00	10.00
C40	10.00	10.00	10.00
C41	10.00	10.00	10.00
C42	10.00	10.00	10.00
C43	10.00	10.00	10.00
C44	10.00	10.00	10.00
C45	10.00	10.00	10.00
C46	10.00	10.00	10.00
C47	10.00	10.00	10.00
C48	10.00	10.00	10.00
C49	10.00	10.00	10.00
C50	10.00	10.00	10.00
C51	10.00	10.00	10.00
C52	10.00	10.00	10.00
C53	10.00	10.00	10.00
C54	10.00	10.00	10.00
C55	10.00	10.00	10.00
C56	10.00	10.00	10.00
C57	10.00	10.00	10.00
C58	10.00	10.00	10.00
C59	10.00	10.00	10.00
C60	10.00	10.00	10.00
C61	10.00	10.00	10.00
C62	10.00	10.00	10.00
C63	10.00	10.00	10.00
C64	10.00	10.00	10.00
C65	10.00	10.00	10.00
C66	10.00	10.00	10.00
C67	10.00	10.00	10.00
C68	10.00	10.00	10.00
C69	10.00	10.00	10.00
C70	10.00	10.00	10.00
C71	10.00	10.00	10.00
C72	10.00	10.00	10.00
C73	10.00	10.00	10.00
C74	10.00	10.00	10.00
C75	10.00	10.00	10.00
C76	10.00	10.00	10.00
C77	10.00	10.00	10.00
C78	10.00	10.00	10.00
C79	10.00	10.00	10.00
C80	10.00	10.00	10.00
C81	10.00	10.00	10.00
C82	10.00	10.00	10.00
C83	10.00	10.00	10.00
C84	10.00	10.00	10.00
C85	10.00	10.00	10.00
C86	10.00	10.00	10.00
C87	10.00	10.00	10.00
C88	10.00	10.00	10.00
C89	10.00	10.00	10.00
C90	10.00	10.00	10.00
C91	10.00	10.00	10.00
C92	10.00	10.00	10.00
C93	10.00	10.00	10.00
C94	10.00	10.00	10.00
C95	10.00	10.00	10.00
C96	10.00	10.00	10.00
C97	10.00	10.00	10.00
C98	10.00	10.00	10.00
C99	10.00	10.00	10.00
C100	10.00	10.00	10.00

NOTE: THE LOCATION OF AN EMBANKMENT FOR ACCESS AND DEVELOPMENT OF WATER, WELLS, WATER WORKS AND INCIDENTAL PURPOSES TO SAN DIEGO CITY MUNICIPAL WATER DISTRICT PER DOCUMENT RECORDED OCT 7, 1983 AS FILE # 89-362222 OF 04, CANNOT BE DETERMINED FROM SAID DOCUMENT, AND IS NOT SHOWN ON THIS MAP



GRADING PLAN L-1582
CALIF. COORD. INDEX 418-1719 X

COUNTY TM 4249-3

SEE SHEET NO. 4

MS 853

INTERSTATE 15

11-SD-15

ACCESS RIGHTS FROM LOTS 14 THRU 30 INCLUSIVE IN AND TO INTERSTATE 15 (100-15) RELINQUISHED AND WAIVED HEREON

SEE SHEET NO. 4

GRAPHIC SCALE

0 50 100 150 200

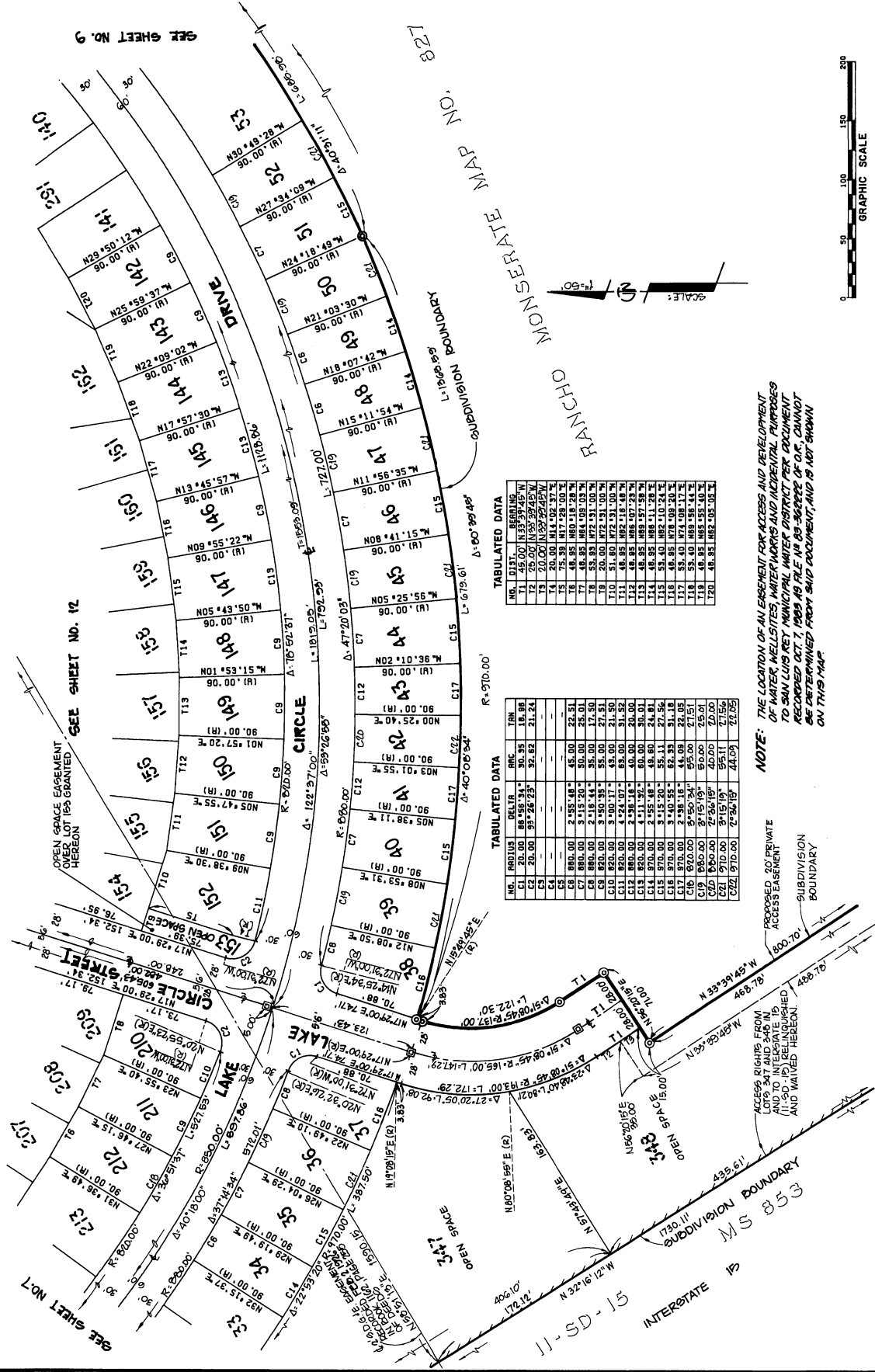
San Diego

VTN Southwest, INC. 5701-10

MAP NO. 12848

COUNTY OF SAN DIEGO TRACT 4249-3

SHEET 8 OF 18 SHEETS



TABULATED DATA

NO.	DIR.	BEARING	TRN
1	11	45.00° N 35.34° E	16.98
2	12	45.00° N 35.34° E	16.98
3	13	45.00° N 35.34° E	16.98
4	14	45.00° N 35.34° E	16.98
5	15	45.00° N 35.34° E	16.98
6	16	45.00° N 35.34° E	16.98
7	17	45.00° N 35.34° E	16.98
8	18	45.00° N 35.34° E	16.98
9	19	45.00° N 35.34° E	16.98
10	20	45.00° N 35.34° E	16.98
11	21	45.00° N 35.34° E	16.98
12	22	45.00° N 35.34° E	16.98
13	23	45.00° N 35.34° E	16.98
14	24	45.00° N 35.34° E	16.98
15	25	45.00° N 35.34° E	16.98
16	26	45.00° N 35.34° E	16.98
17	27	45.00° N 35.34° E	16.98
18	28	45.00° N 35.34° E	16.98
19	29	45.00° N 35.34° E	16.98
20	30	45.00° N 35.34° E	16.98
21	31	45.00° N 35.34° E	16.98
22	32	45.00° N 35.34° E	16.98
23	33	45.00° N 35.34° E	16.98
24	34	45.00° N 35.34° E	16.98
25	35	45.00° N 35.34° E	16.98
26	36	45.00° N 35.34° E	16.98
27	37	45.00° N 35.34° E	16.98
28	38	45.00° N 35.34° E	16.98
29	39	45.00° N 35.34° E	16.98
30	40	45.00° N 35.34° E	16.98
31	41	45.00° N 35.34° E	16.98
32	42	45.00° N 35.34° E	16.98
33	43	45.00° N 35.34° E	16.98
34	44	45.00° N 35.34° E	16.98
35	45	45.00° N 35.34° E	16.98
36	46	45.00° N 35.34° E	16.98
37	47	45.00° N 35.34° E	16.98
38	48	45.00° N 35.34° E	16.98
39	49	45.00° N 35.34° E	16.98
40	50	45.00° N 35.34° E	16.98
41	51	45.00° N 35.34° E	16.98
42	52	45.00° N 35.34° E	16.98
43	53	45.00° N 35.34° E	16.98
44	54	45.00° N 35.34° E	16.98
45	55	45.00° N 35.34° E	16.98
46	56	45.00° N 35.34° E	16.98
47	57	45.00° N 35.34° E	16.98
48	58	45.00° N 35.34° E	16.98
49	59	45.00° N 35.34° E	16.98
50	60	45.00° N 35.34° E	16.98
51	61	45.00° N 35.34° E	16.98
52	62	45.00° N 35.34° E	16.98
53	63	45.00° N 35.34° E	16.98
54	64	45.00° N 35.34° E	16.98
55	65	45.00° N 35.34° E	16.98
56	66	45.00° N 35.34° E	16.98
57	67	45.00° N 35.34° E	16.98
58	68	45.00° N 35.34° E	16.98
59	69	45.00° N 35.34° E	16.98
60	70	45.00° N 35.34° E	16.98
61	71	45.00° N 35.34° E	16.98
62	72	45.00° N 35.34° E	16.98
63	73	45.00° N 35.34° E	16.98
64	74	45.00° N 35.34° E	16.98
65	75	45.00° N 35.34° E	16.98
66	76	45.00° N 35.34° E	16.98
67	77	45.00° N 35.34° E	16.98
68	78	45.00° N 35.34° E	16.98
69	79	45.00° N 35.34° E	16.98
70	80	45.00° N 35.34° E	16.98
71	81	45.00° N 35.34° E	16.98
72	82	45.00° N 35.34° E	16.98
73	83	45.00° N 35.34° E	16.98
74	84	45.00° N 35.34° E	16.98
75	85	45.00° N 35.34° E	16.98
76	86	45.00° N 35.34° E	16.98
77	87	45.00° N 35.34° E	16.98
78	88	45.00° N 35.34° E	16.98
79	89	45.00° N 35.34° E	16.98
80	90	45.00° N 35.34° E	16.98
81	91	45.00° N 35.34° E	16.98
82	92	45.00° N 35.34° E	16.98
83	93	45.00° N 35.34° E	16.98
84	94	45.00° N 35.34° E	16.98
85	95	45.00° N 35.34° E	16.98
86	96	45.00° N 35.34° E	16.98
87	97	45.00° N 35.34° E	16.98
88	98	45.00° N 35.34° E	16.98
89	99	45.00° N 35.34° E	16.98
90	100	45.00° N 35.34° E	16.98

TABULATED DATA

NO.		DIR.	BEARING	TRN
C1	20	88.55° 34'	16.98	
C2	20	93° 26' 23"	39.42	
C3	20	93° 26' 23"	39.42	
C4	20	93° 26' 23"	39.42	
C5	20	93° 26' 23"	39.42	
C6	20	93° 26' 23"	39.42	
C7	88.00	2° 55' 48"	45.00	22.51
C8	88.00	3° 15' 20"	50.00	25.01
C9	88.00	2° 14' 44"	55.00	27.51
C10	82.00	3° 50' 55"	60.00	30.01
C11	82.00	3° 50' 17"	65.00	32.51
C12	88.00	2° 58' 18"	70.00	35.01
C13	82.00	4° 11' 30"	75.00	37.51
C14	82.00	2° 55' 48"	80.00	40.01
C15	87.00	3° 15' 20"	85.00	42.51
C16	87.00	2° 14' 44"	90.00	45.01
C17	82.00	3° 50' 55"	95.00	47.51
C18	82.00	3° 50' 17"	100.00	50.01
C19	88.00	2° 55' 48"	105.00	52.51
C20	88.00	3° 15' 20"	110.00	55.01
C21	88.00	2° 14' 44"	115.00	57.51
C22	82.00	3° 50' 55"	120.00	60.01
C23	82.00	3° 50' 17"	125.00	62.51
C24	88.00	2° 58' 18"	130.00	65.01
C25	82.00	4° 11' 30"	135.00	67.51
C26	82.00	2° 55' 48"	140.00	70.01
C27	87.00	3° 15' 20"	145.00	72.51
C28	87.00	2° 14' 44"	150.00	75.01
C29	82.00	3° 50' 55"	155.00	77.51
C30	82.00	3° 50' 17"	160.00	80.01
C31	88.00	2° 55' 48"	165.00	82.51
C32	88.00	3° 15' 20"	170.00	85.01
C33	88.00	2° 14' 44"	175.00	87.51
C34	82.00	3° 50' 55"	180.00	90.01
C35	82.00	3° 50' 17"	185.00	92.51
C36	88.00	2° 58' 18"	190.00	95.01
C37	82.00	4° 11' 30"	195.00	97.51
C38	82.00	2° 55' 48"	200.00	100.01
C39	87.00	3° 15' 20"	205.00	102.51
C40	87.00	2° 14' 44"	210.00	105.01
C41	82.00	3° 50' 55"	215.00	107.51
C42	82.00	3° 50' 17"	220.00	110.01
C43	88.00	2° 55' 48"	225.00	112.51
C44	88.00	3° 15' 20"	230.00	115.01
C45	88.00	2° 14' 44"	235.00	117.51
C46	82.00	3° 50' 55"	240.00	120.01
C47	82.00	3° 50' 17"	245.00	122.51
C48	88.00	2° 58' 18"	250.00	125.01
C49	82.00	4° 11' 30"	255.00	127.51
C50	82.00	2° 55' 48"	260.00	130.01
C51	87.00	3° 15' 20"	265.00	132.51
C52	87.00	2° 14' 44"	270.00	135.01
C53	82.00	3° 50' 55"	275.00	137.51
C54	82.00	3° 50' 17"	280.00	140.01
C55	88.00	2° 58' 18"	285.00	142.51
C56	82.00	4° 11' 30"	290.00	145.01
C57	82.00	2° 55' 48"	295.00	147.51
C58	87.00	3° 15' 20"	300.00	150.01
C59	87.00	2° 14' 44"	305.00	152.51
C60	82.00	3° 50' 55"	310.00	155.01
C61	82.00	3° 50' 17"	315.00	157.51
C62	88.00	2° 55' 48"	320.00	160.01
C63	88.00	3° 15' 20"	325.00	162.51
C64	88.00	2° 14' 44"	330.00	165.01
C65	82.00	3° 50' 55"	335.00	167.51
C66	82.00	3° 50' 17"	340.00	170.01
C67	88.00	2° 58' 18"	345.00	172.51
C68	82.00	4° 11' 30"	350.00	175.01
C69	82.00	2° 55' 48"	355.00	177.51
C70	87.00	3° 15' 20"	360.00	180.01
C71	87.00	2° 14' 44"	365.00	182.51
C72	82.00	3° 50' 55"	370.00	185.01
C73	82.00	3° 50' 17"	375.00	187.51
C74	88.00	2° 58' 18"	380.00	190.01
C75	82.00	4° 11' 30"	385.00	192.51
C76	82.00	2° 55' 48"	390.00	195.01
C77	87.00	3° 15' 20"	395.00	197.51
C78	87.00	2° 14' 44"	400.00	200.01
C79	82.00	3° 50' 55"	405.00	202.51
C80	82.00	3° 50' 17"	410.00	205.01
C81	88.00	2° 58' 18"	415.00	207.51
C82	82.00	4° 11' 30"	420.00	210.01
C83	82.00	2° 55' 48"	425.00	212.51
C84	87.00	3° 15' 20"	430.00	215.01
C85	87.00	2° 14' 44"	435.00	217.51
C86	82.00	3° 50' 55"	440.00	220.01
C87	82.00	3° 50' 17"	445.00	222.51
C88	88.00	2° 58' 18"	450.00	225.01
C89	82.00	4° 11' 30"	455.00	227.51
C90	82.00	2° 55' 48"	460.00	230.01
C91	87.00	3° 15' 20"	465.00	232.51
C92	87.00	2° 14' 44"	470.00	235.01
C93	82.00	3° 50' 55"	475.00	237.51
C94	82.00	3° 50' 17"	480.00	240.01
C95	88.00	2° 58' 18"	485.00	242.51
C96	82.00	4° 11' 30"	490.00	245.01
C97	82.00	2° 55' 48"	495.00	247.51
C98	87.00	3° 15' 20"	500.00	250.01
C99	87.00	2° 14' 44"	505.00	252.51
C100	82.00	3° 50' 55"	510.00	255.01
C101	82.00	3° 50' 17"	515.00	257.51
C102	88.00	2° 58' 18"	520.00	260.01
C103	82.00	4° 11' 30"	525.00	262.51
C104	82.00	2° 55' 48"	530.00	265.01
C105	87.00	3° 15' 20"	535.00	267.51
C106	87.00	2° 14' 44"	540.00	270.01
C107	82.00	3° 50' 55"	545.00	272.51
C108	82.00	3° 50' 17"	550.00	275.01
C109	88.00	2° 58' 18"	555.00	277.51
C110	82.00	4° 11' 30"	560.00	280.01
C111	82.00	2° 55' 48"	565.00	282.51
C112	87.00	3° 15' 20"	570.00	285.01
C113	87.00	2° 14' 44"	575.00	287.51
C114	82.00	3° 50' 55"	580.00	290.01
C115	82.00	3° 50' 17"	585.00	292.51
C116	88.00	2° 58' 18"	590.00	295.01
C117	82.00	4° 11' 30"	595.00	297.51
C118	82.00	2° 55' 48"	600.00	300.01
C119	87.00	3° 15' 20"	605.00	302.51
C120	87.00	2° 14' 44"	610.00	305.01
C121	82.00	3° 50' 55"	615.00	307.51
C122	82.00	3° 50' 17"	620.00	310.01
C123	88.00	2° 58' 18"	625.00	312.51
C124	82.00	4° 11' 30"	630.00	315.01
C125	82.00	2° 55' 48"	635.00	317.51
C126	87.00	3° 15' 20"	640.00	320.01
C127	87.00	2° 14' 44"	645.00	322.51
C128	82.00	3° 50' 55"	650.00	325.01
C129	82.00	3° 50' 17"	655.00	327.51
C130	88.00	2° 58' 18"	660.00	330.01
C131	82.00	4° 11' 30"	665.00	332.51
C132	82.00	2° 55' 48"	670.00	335.01
C133	87.00	3° 15' 20"	675.00	337.51
C134	87.00	2° 14' 44"	680.00	340.01
C135	82.00	3° 50' 55"	685.00	342.51
C136	82.00	3° 50' 17"	690.00	345.01
C137	88.00	2° 58' 18"	695.00	347.51
C138	82.00	4° 11' 30"	700.00	350.01
C139	82.00	2° 55' 48"	705.00	352.51
C140	87.00	3° 15' 20"	710.00	355.01
C141	87.00	2° 14' 44"	715.00	357.51
C142	82.00	3° 50' 55"	720.00	360.01
C143	82.00	3° 50' 17"	725.00	362.51
C144	88.00	2° 58' 18"	730.00	365.01
C145	82.00	4° 11' 30"	735.00	367.51
C146	82.00	2° 55' 48"	740.00	370.01
C147	87.00	3° 15' 20"	745.00	372.51
C148	87.00	2° 14' 44"	750.00	375.01
C149	82.00	3° 50' 55"	755.00	377.51
C150	82.00	3° 50' 17"	760.00	380.01
C151	88.00	2° 58' 18"	765.00	382.51
C152	82.00	4° 11' 30"	770.00	385.01
C153	82.00	2° 55' 48"	775.00	387.51
C154	87.00	3° 15' 20"	780.00	390.01
C155	87.00	2° 14' 44"	785.00	392.51
C156	82.00	3° 50' 55"	790.00	395.01
C157	82.00	3° 50' 17"	795.00	397.51
C158	88.00	2° 58' 18"	800.00	400.01
C159	82.00	4° 11' 30"	805.00	402.51
C160	82.00	2° 55' 48"	810.00	405.01
C161	87.00	3° 15' 20"	815.00	407.51
C162	87.00	2° 14' 44"	820.00	410.01
C163	82.00	3° 50' 55"	825.00	412.51
C164	82.00	3° 50' 17"	830.00	415.01
C165	88.00	2° 58' 18"	835.00	417.51
C166	82.00	4° 11' 30"	840.00	420.01
C167	82.00	2° 55' 48"	845.00	422.51
C168	87.00	3° 15' 20"	850.00	425.01
C169	87.00	2° 14' 44"	855.00	427.51
C170	82.00	3° 50' 55"	860.00	430.01
C171	82.00	3° 50' 17"	865.00	432.51
C172	88.00	2° 58' 18"	870.00	435.01
C173	82.00	4° 11' 30"	875.00	437.51
C174	82.00	2° 55' 48"	880.00	440.01
C175	87.00	3° 15' 20"	885.00	442.51
C176	87.00	2° 14' 44"	890.00	445.01
C177	82.00	3° 50' 55"	895.00	447.51
C178	82.00	3° 50' 17"	900.00	450.01
C179	88.00	2° 58' 18"	905.00	452.51
C180	82.00	4° 11' 30"	910.00	455.01
C181	82.00	2° 55' 48"	915.00	457.51
C182	87.00	3° 15' 20"	920.00	460.01
C183	87.00	2° 14' 44"	925.00	462.51
C184	82.00	3° 50' 55"	930.00	465.01
C185	82.00	3° 50' 17"	935.00	467.51
C186	88.00	2° 58' 18"	940.00	470.01
C187	82.00	4° 11' 30"	945.00	472.51
C188	82.00	2° 55' 48"	950.00	475.01
C189	87.00	3° 15' 20"	955.00	477.51
C190	87.00	2° 14' 44"	960.00	480.01
C191	82.00	3° 50' 55"	965.00	482.51
C192	82.00	3° 50' 17"	970.00	485.01
C193	88.00	2° 58' 18"	975.00	487.51
C194	82.00	4° 11' 30"	980.00	490.01
C195	82.00	2° 55' 48"	985.00	492.51
C196	87.00	3° 15' 20"	990.00	495.01
C197	87.00	2° 14' 44"	995.00	497.51
C198	82.00	3° 50' 55"	1000.00	500.01
C199	82.00	3° 50' 17"	1005.00	502.51
C200	88.00	2° 58' 18"	1010.00	505.01
C201	82.00	4° 11' 30"	1015.00	507.51
C202	82.00	2° 55' 48"	1020.00	510.01
C203	87.00	3° 15' 20"	1025.00	512.51
C204	87.00	2° 14' 44"	1030.00	515.01
C205	82.00	3° 50' 55"	1035.00	517.51
C206	82.00	3° 50' 17"	1040.00	520.01
C207	88.00	2° 58' 18"	1045.00	522.51
C208	82.00	4° 11' 30"	1050.00	525.01
C209	82.00	2° 55' 48"	1055.00	527.51
C210	87.00	3° 15' 20"	1060.00	530.01
C211	87.00	2° 14' 44"	1065.00	532.51
C212	82.00	3° 50' 55"	1070.00	535.01
C213	82.00	3° 50' 17"	1075.00	537.51
C214	88.00	2° 58' 18"	1080.00	540.01
C215	82.00	4° 11' 30"	1085.00	542.51
C216	82.00	2° 55' 48"	1090.00	545.01
C217	8			

Attachment B

Resolution

August____, 2008

RESOLUTION OF THE SAN DIEGO COUNTY
BOARD OF SUPERVISORS APPROVING
SPECIFIC PLAN AMENDMENT SPA 07-001
Lake Rancho Viejo Specific Plan, SP 81-02

ON MOTION of Supervisor _____, seconded by Supervisor _____, the following Resolution is adopted:

WHEREAS, a Specific Plan known as the Lake Rancho Viejo Specific Plan (SP 81-02), having been prepared jointly by RECON, Urban Assist. Inc. and J.L. Webb Planning for an area comprising a total of 469 acres located in the unincorporated area of San Diego County, and situated in the Fallbrook Community Planning Area, was adopted by Resolution of the Board on August 22, 1984; and

WHEREAS, K. Hovnanian Companies of California submitted an amendment to the Lake Rancho Viejo Specific Plan (SPA 07-001) on January 26, 2007 pursuant to Board of Supervisors Policy I-59 (Large Scale Project Review), for an area comprising a total of 3.5 acres within the Specific Plan; and

WHEREAS, the applicant has stated the intent of said Amendment to change the Lake Rancho Viejo Specific Plan as follows:

- Remove a 3.5-acre Recreational Vehicle Parking Area and designate that area as open space.

WHEREAS, pursuant to Section 65450, et seq. of the Government Code, the Planning Commission on June 13, 2008 conducted a duly advertised hearing and recommended that the Board of Supervisors approve the Lake Rancho Viejo Specific Plan Amendment (SPA 07-001) by a vote of _____.

WHEREAS, the Planning Commission reviewed and considered the information in the final Environmental Impact Report (EIR) certified July 1, 1981, on file with the Department of Planning and Land Use (DPLU) as Environmental Review Number (LSP80-04, TM4249, P81-06 and Log #80-2-136) and Addendum 1 thereto dated July 8, 1996, on file with DPLU as Environmental Review Number 80-02-136; and Addendum 2 thereto dated April 7, 2004, on file with DPLU as Environmental Review Number 80-02-136B; and Addendum 3 thereto dated June 28, 2006, on file with DPLU as Environmental Review Number 80-02-136C; prior to making its recommendation.

WHEREAS, the Board of Supervisors on _____, conducted a duly advertised public hearing on the proposed Lake Rancho Viejo Specific Plan Amendment (SPA 07-001) and considered the recommendations of the Planning Commission with respect thereto, and determined that the requirements hereinafter enumerated are necessary to ensure that the Specific Plan Amendment, and the implementation thereof, will conform

SPA 07-001

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to all ordinances, policies, rules, standards, and improvement and design requirements of the County of San Diego.

NOW, THEREFORE, BE IT RESOLVED AND FOUND in accordance with the California Environmental Quality Act (CEQA) Guidelines as follows:

- (a) No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND or previously certified EIR is adequate without modification.
- (b) The Board of Supervisors reaffirms the findings made relative to said EIR in accordance with Public Resources Code 21081.

BE IT FURTHER RESOLVED that the Board of Supervisors finds that the Lake Rancho Viejo Specific Plan Amendment (SPA 07-001) is consistent with the San Diego County General Plan and the Fallbrook Community Plan in that the goals, objectives, and policies of all the elements of the plans have been or will be met.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Lake Rancho Viejo Specific Plan Amendment as (SPA 07-001), consisting of this Resolution and the text and map entitled Lake Rancho Viejo Specific Plan Amendment.

BE IT FURTHER RESOLVED that the following conditions and requirements are imposed upon said Specific Plan Amendment (SPA 07-001) and all development applications filed in order to implement said Specific Plan:

1. Unless specifically waived, the requirements of the San Diego County Subdivision Ordinance, The Zoning Ordinance, and the San Diego County road standards shall apply irrespective of what is stated in the applicant's Specific Plan text and none of the requirements included within this Resolution shall be deemed as exempting any permit filed pursuant to this Specific Plan from that review process and those conditions and requirements normally applied to such permit applications.
2. The applicant shall submit to the Department of Planning and Land Use within 30 days of the adoption of this Resolution revised copies of the Specific Plan text and map that include any additions, deletions, or modifications approved by this Resolution.

SPA 07-001

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3. Specific mitigation measures and required conditions for development of the project are contained in the Resolution of Approval for Tentative Map TM 4249 and/or Form of Decision for Major Use Permit P81-023W5.

BE IT FURTHER RESOLVED that said Specific Plan Amendment (SPA 07-001) shall be of no force or effect in the year 2016 unless use in reliance has been established. Use and reliance shall be established with granting use permit modification P81-023W5.

BE IT FURTHER RESOLVED that all references within this Resolution to “applicant”, “developer”, or “subdivider” shall be equally applicable to the current property owner and to any successors-in-interest or assigns, whether such successors or assigns own, control, or otherwise have development authority for all, a portion, or portions of that property included within the Specific Plan Amendment.

BE IT FURTHER RESOLVED that the following evidence is incorporated herein by this reference and serves as further evidence to support the findings, requirements, and conclusions included herein: The maps, exhibits, written documents and materials contained in the files for the Lake Rancho Viejo Specific Plan Amendment (SPA 07-001), on record at the County of San Diego, the written documents referred to, and the oral presentation(s) made at the public hearing(s).

BE IT FURTHER RESOLVED that this Resolution shall take effect and be in force from and after 30 days after its adoption.

THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

NOTICE: – The project relies on CEQA 15162 - 15164 Findings and the previous Fish and Game Fees paid in the amount of \$875 for the review of the Environmental Impact Report, Receipt number 211409 dated 3/04/2004.

DPL\WP-012wpc-Specific Plan Amendment Resolution (01/03)

Attachment C

Form of Decision

~~December 15, 1995~~
~~December 4, 1996~~
June 13, 2008

FORM OF DECISION
MAJOR USE PERMIT P81-023W⁵

PERMITTEE: ~~Paul Garrett Blanche Pope~~ Jeremy Rappoport

GRANT, as per plot plan dated April 17, 1981, consisting of Sheets 1-5 of 11 and 7-11 of 11 and a revised plot plan for Sheet 6 of 11 received January 24, 1984 and amended in red, a Major Use Permit Modification (P81-023W), pursuant to Section 5800 of The Zoning Ordinance, for a Planned Development as covered by Tentative Map Number TM 4249, or a subsequent revision thereof which provides for a maximum of 816 dwelling units and related recreation facilities. This Modification revises the phasing as originally approved and deletes the community garden area.

Grant, as per plot plan dated August 17, 1995, consisting of five sheets, a Modification to delete the mobilehome park requirement for Lots 1-81, 83-95, 97, 98, 100-111, 136, 137, 141, 142, 146, 152, 179-213, 218, 220, 221, 222, 229, 232-236, and 239-245 of San Diego Tentative Map 4249.

Grant a Modification, as per plot plan dated April 3, 1996, and amended in red, to retain the use of mobilehome park development and add the option to allow the use of Uniform Building Code (UBC) (conventional) construction for Units 2 and 3, excepting Lots 294 through 340, of Tentative Map 4249.

Grant a Modification, as per plot plan dated April 1, 2008, and amend in red, to remove the use of recreational vehicle parking and community garden and to allow the use of biological open space on lots 1009 and 1010, of Tentative Map 4249.

The following conditions are imposed with the granting of this Major Use Permit:

- A. Prior to issuance of any permit excluding any grading permit pursuant to this Major Use Permit, the applicant shall:
1. File and receive approval of a final subdivision map of the property pursuant to TM 4249 or subsequent revision thereof.
 2. Submit for the approval of the Director of Planning and Land Use an additional sheet(s) for the plot plan showing a maximum of two tennis courts in the clubhouse community area.

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3. Submit for the approval of the Director of Planning and Land Use detailed and complete landscaping plans for the development. Said Landscape Plans shall include:
 - a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from the Department of Public Works approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way.
 - b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture other than such irrigation as is necessary to establish the plantings.
 - c. Location and type of walls, fences, walkways, and lighting to be installed.
 - d. If dedicated, the riding and hiking trails of the proposed County floodway easement shall be specifically defined and located to the satisfaction of the Director, Department of Public Works.
 - e. Submit a revised Landscape Plan showing 50 box trees located in the open space areas and along Dulin Road, and landscaping and walkway lighting for the basketball play area.
 - f. Prior to issuance of a building permit for Unit 2 of Tentative Map Number 4249 (Map No. 12710) and Unit 3 of Tentative Map Number 4249 (Map No. 12848), provide evidence that the site complies with County of San Diego Flood Control Ordinances and Regulations to the satisfaction of the Director of Public Works. Any required flood control improvements shall substantially conform to and shall not extend beyond the area shown as the Keys Canyon Channel on the approved plot plan.
- B. Prior to any occupancy of any dwelling units (within any construction phase) of the development or use of the premises pursuant to this Major Use Permit, the following shall be accomplished:
 1. The main recreation center shall be completed and available for use.

2. All landscaping, recreational facilities, and improvements (for said phase) shown on the approved plot plan and landscaping plan shall be installed.
3. All parking areas shall be improved with a minimum of two inches of asphaltic concrete or concrete. The base and surface of all private streets shall conform to San Diego County standards for public streets.
4. Finished grading shall be certified by a registered civil engineer and inspected by the County Engineer for drainage clearance. Approval of the rough grading does not certify finished grading because of potential surface drainage problems that may be created by landscaping accomplished after rough grading certification. If a grading permit is not required for the project, a registered civil engineer's certification for the drainage clearance shall still be required.
5. Property owners shall agree to preserve and save harmless the County of San Diego and each officer and employee thereof from any liability or responsibility for any accident, loss, or damage to persons or property happening or occurring as the proximate result of any of the work undertaken to complete this work, and that all of said liabilities are hereby assumed by the property owner.
6. The permittee shall make suitable provisions to assure the continued maintenance and operation of open space, recreational facilities, and improvements specified herein.
7. The permittee and all persons, firms, or corporations owning the property subject to this Major Use Permit at the time of the recording of the Final Map or Maps, their heirs, administrators, executors, successors, and assigns shall operate, maintain, and repair all common open space, recreational facilities, and improvements shown on the plot plan primarily for the benefit of the residents of the subject development and shall continue to operate, maintain, and repair said open space, facilities, and improvements until such time as the operation and maintenance of said recreational facilities and improvements is assured by some public agency, district, corporation, or legal entity approved by the Board of Supervisors.
8. The permittee shall furnish to the Director of Planning and Land Use concurrently with the request for final inspection, a letter from the Department of Public Works stating the road improvements required under this permit have been installed to the satisfaction of the Department of Public Works.

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9. ~~The recreational vehicle (RV) storage area shall be constructed and available for use at a minimum of 50 square feet of area per dwelling unit.~~
10. Show evidence that the revised plot plan sheet required by Condition A.2. has been approved by the Director of Planning and Land Use.
11. Show evidence that the revised Landscape Plan has been approved.
12. Allow transfer of the property subject to Major Use Permit P81-023W⁴ into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer.

C. Prior to acceptance of the open space on lots 1009 and 1010 and within 90 days of project approval the applicant shall:

1. File a complete application with the County in order to vacate the easement of Lake Circle Street from the southeast corner of lot 37 southerly to the terminus as shown on Map number 12848.
2. Provide to the County of San Diego, by separate document, a recordable grant of an open space easement as shown on attached Open Space Exhibit dated 2/5/07 on file with DPLU as Environmental Review Number 80-02-136E. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this easement authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation.

The sole exceptions to this prohibition are:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.

- b. Activities required to be conducted pursuant to a revegetation or habitat management approved by the County of San Diego Director of Planning and Land Use.
 - c. Maintenance of drainage facilities to the extent approved or required by written order of the Director of Public Works for the express purpose of reducing an identified flooding or drainage hazard. All maintenance of drainage facilities pursuant to this exception shall not be initiated until all applicable federal, state and local permits (e.g., California Section 1600 Streambed Alteration Agreement, County Watercourse Permit) have been obtained.
 - d. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
 - e. Passive recreation in conjunction with an approved Major Use Permit or modifications thereto.
 - 3. Provide to the Director of Planning and Land Use an update of the approved Habitat Management Plan boundaries to including ongoing biological monitoring and stewardship of the expanded easement area.

The applicant will respond to any written County request regarding the amendment of the above applications or documents within 30 days of receipt in order to facilitate the speedy processing of the above documents. The applicant shall obtain the approval of the Director of Planning and Land Use on the Habitat Management Plan boundary update.
 - 4. Update the approved Habitat Management Plan to include ongoing biological monitoring and stewardship of the easement area to the satisfaction of the Director of Planning and Land Use.
- D. Prior to acceptance of the open space on lots 1009 and 1010 and within 180 days of project approval, the applicant shall:
- 1. Construct six foot (6') tall CMU wall to continue the existing barrier along the dead end portion of Lake Circle Street.
 - 2. Obtain a Construction permit for any work within the County right-of-way. DPW Construction/Road right-of-way Permits Services Section should be contacted at 858-694-3275.

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3. Submit to the Director, Department of Planning and Land Use a signed, stamped statement from a California Registered Engineer, or licensed surveyor that the permanent walls has been placed to protect from inadvertent disturbance the adjacent biological open space easements. The permanent wall is required in the location as shown on the Approved Plot Plan dated February 05, 2008 on file with Department of Planning and Land Use as Environmental Review Number 80-02-136E. The wall location shall be identified in the field by a California Registered Engineer or licensed surveyor. Photographs and a brief description of design and materials used shall be submitted with the statement from the California Registered Engineer. Construction materials shall be consistent with the existing barrier wall.

E. Upon certification by the Director of Planning and Land Use for occupancy or establishment of use allowed by this Major Use Permit, the following conditions shall apply:

G1. All features shown on the approved plot plan shall be located substantially where they are shown, and shall be constructed in accordance with appropriate San Diego County Code sections.

D2. No exterior radio or television antennas shall be permitted. The developer shall make the necessary arrangements for the installation of licensed cable television service to all dwelling units. If such service is unavailable (no licensed operator is found to be willing and able to install a system), the developer shall provide a master antenna system with a common central antenna and underground cable to all dwelling units. The master antenna system shall be maintained and ultimately conveyed to the purchasers of the dwelling units in the same manner provided for open space, recreational facilities, and other improvements that are also a part of this Major Use Permit.

E.3. All utility distribution facilities within the boundaries of the subject development shall be placed underground in accordance with Section 811403~~(e)~~(a)(6) of the San Diego County Code.

F4. .All light fixtures (and tennis court lighting) shall be designed and adjusted to reflect light downward, away from any road or street, and away from any adjoining premises and shall otherwise conform to Section 6908 of The Zoning Ordinance and the following:

4.A. Any light fixture generating equal to or greater than 1,750 lumens shall be equipped with high cut-of luminaries sufficient to allow no light to

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penetrate above a horizontal plane, and mercury vapor lighting shall not be permitted.

~~2.B.~~ All recreational lighting shall be shut off no later than midnight to the satisfaction of the Director of Planning and Land Use.

~~3.C.~~ The Covenants, Conditions, and Restrictions shall contain provisions to require low-sodium lighting on all private streets and all exterior non-sodium light shall be shaded downward.

~~G5.~~ No loudspeaker or sound amplification system shall be used to produce sounds in violation of the County Noise Ordinance.

~~H.6.~~ The roads, parking areas, and driveways shall be well maintained.

~~I.7.~~ All landscaping shall be adequately watered and well maintained at all times.

~~J.8.~~ The homeowners association shall operate a shuttle service, making available a van type vehicle for access to commercial, medical, and entertainment services.

~~K.9.~~ The terms and conditions of this Major Use Permit shall be binding upon the permittee and all persons, firms, or corporations having an interest in the property subject to this Major Use Permit and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies, and districts.

~~L.10.~~ This Major Use Permit Modification shall expire on ~~December 15, 1999~~ December 4, 1999 at 4:00 p.m. unless construction and/or use of the property in reliance on this permit is established prior thereto. Recordation of a Final Map pursuant to TM 4249 and completion of (or entry into agreements to construct where permitted) all required improvement shall be deemed to establish such construction and/or use in reliance.

~~M.11.~~ Subject development shall meet all provisions of Section 6600 (Planned Development) of The Zoning Ordinance.

~~N.12.~~ The applicant shall have a Site Plan approved by the Director of Planning indicating the location of driveways and mobilehomes or dwellings to ensure adequate off-street parking.

~~O.13.~~ If dedicated, the riding and hiking trails shall be limited to foot, bike, and horse traffic and no motorized traffic shall be permitted.

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THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE OR COUNTY LAWS, ORDINANCES, REGULATIONS OR POLICIES INCLUDING, BUT NOT LIMITED TO THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

DEFENSE OF LAWSUITS AND INDEMNITY: The applicant shall: (1) defend, indemnify and hold harmless the County, its agents, officers and employees, from any claim, action or proceeding against the County, its agents, officers or employees to attack, set aside, void or annul this approval or any of the proceedings, acts of determination taken, done or made prior to this approval; and (2) reimburse the County, its agents, officers and employees for any court costs and attorney's fees which the County, its agents or officers or employees may be required to pay as a result of this approval. At its sole discretion, the County may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition. The County shall notify the applicant promptly of any claim or action and cooperate fully in the defense.

Pursuant to Section 7358 of The Zoning Ordinance, the following findings in support of the Major Use Permit are made:

- (a) The location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to

- 1. Harmony in scale, bulk, coverage, and density

The fact supporting Finding (a-1) is as follows:

The proposed mobilehome park is similar in scale and density to the mobilehome park proposed on adjacent lands and therefore will not adversely affect adjacent uses.

- 2. The availability of public facilities, services, and utilities

The fact supporting Finding (a-2) is as follows:

The public facilities are planned and programmed to serve the project residents.

- 3. The harmful effect, if any, upon desirable neighborhood character

The fact supporting Finding (a-3) is as follows:

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The immediate area is vacant except for the Rancho Monserate development west of the freeway, therefore no harmful effects are anticipated on the neighborhood character.

4. The generation of traffic and the capacity and physical character of surrounding streets

The fact supporting Finding (a-4) is as follows:

The project lies at the intersection of Interstate 15 and State Highway 76 with more than adequate access roads for excellent traffic circulation.

5. The suitability of the site for the type and intensity of use or development which is proposed

The fact supporting Finding (a-5) is as follows:

The site is relatively flat with slightly sloping terrain from south to north toward the San Luis Rey River and is suitable for the proposed development.

6. The harmful effect, if any, upon environmental quality and natural resources

The fact supporting Finding (a-6) is as follows:

All environmental impacts have been assessed and all sensitive resources have been incorporated into the project design to mitigate the impacts.

7. Any other relevant impact of the proposed use

The fact supporting Finding (a-7) is as follows:

The project will improve the housing stock of mobilehomes in the North County region.

- (b) The impacts, as described in Findings (a) above, and the location of the proposed use will not adversely affect the San Diego County General Plan.

The fact supporting Finding (b) is as follows:

The project conforms to the Fallbrook and Bonsall Community Plans which designate this property as Specific Planning Area 2.75, Rural Residential and Multiple Rural Use.

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Pursuant to Section 7358 of The Zoning Ordinance, the following findings in support of the granting of the Major Use Permit Modification (W²) are made:

- (a) The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures with consideration given to

1. Harmony in scale, bulk, coverage, and density

The fact supporting Finding (a-1) is as follows:

The change to ~~Uniform Building Code (UBC)~~ site-built (conventional) construction will not increase the size of the dwellings.

2. The availability of public facilities, services, and utilities

The fact supporting Finding (a-2) is as follows:

The change in construction technique will not cause any increase for services.

3. The harmful effect, if any, upon desirable neighborhood character

The fact supporting Finding (a-3) is as follows:

There will be no harmful effects to neighborhood character because the change in construction technique will not change the external appearance of the dwellings and increase the density of the development.

4. The generation of traffic and the capacity and physical character of surrounding streets

The fact supporting Finding (a-4) is as follows:

The change in construction technique will not increase the residential density and therefore, will not increase traffic generation.

5. The suitability of the site for the type and intensity of use or development which is proposed

The fact supporting Finding (a-5) is as follows:

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The site is suitable for residential development because it is graded with streets and facilities installed.

6. Any other relevant impact of the proposed use

The fact supporting Finding (a-6) is as follows:

No adverse environmental impacts have been determined and a Negative Declaration has been adopted.

(b) The impacts, as described in Findings (a) above, and the location of the proposed use will be consistent with the San Diego County General Plan.

The fact supporting Finding (b) is as follows:

The Modification is consistent with the General Plan because the change in construction technique will not adversely affect the existing residential land use.

(c) That the requirements under the California Environmental Quality Act have been complied with.

The fact supporting Finding (c) is as follows:

No adverse environmental impacts have been identified and a Negative Declaration has been adopted.

Pursuant to Section 7358 of The Zoning Ordinance, the following findings in support of the granting of the Major Use Permit Modification (W⁴) are made:

(a) The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures with consideration given to

1. Harmony in scale, bulk, coverage, and density

The fact supporting Finding (a-1) is as follows:

Allowing UBC site-built (conventional) construction will not increase the size or number of the dwellings.

2. The availability of public facilities, services, and utilities

The fact supporting Finding (a-2) is as follows:

The change in construction technique will not cause any increase for services.

3. The harmful effect, if any, upon desirable neighborhood character

The fact supporting Finding (a-3) is as follows:

There will be no harmful effects to neighborhood character because the change in construction technique will not change the external appearance of the dwellings nor increase the density of the development.

4. The generation of traffic and the capacity and physical character of surrounding streets

The fact supporting Finding (a-4) is as follows:

The change in construction technique will not increase the residential density and therefore, will not increase traffic generation.

5. The suitability of the site for the type and intensity of use or development which is proposed

The fact supporting Finding (a-5) is as follows:

The site is generally level and suitable for the proposed residential land use.

- (b) The impacts, as described in Findings (a) above, and the location of the proposed use will be consistent with the San Diego County General Plan.

The fact supporting Finding (b) is as follows:

The Modification is consistent with the General Plan because the change in construction technique will not adversely affect the existing residential land use.

- (c) That the requirements under the California Environmental Quality Act have been complied with.

The facts supporting Finding (c) are as follows:

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No adverse environmental impacts have been identified which were not considered in the previously adopted Environmental Impact Report and no new information of substantial importance has become available since said Environmental Impact Report was prepared (Addendum dated July 8, 1996).

Pursuant to Section 7358 of The Zoning Ordinance, the following findings in support of the granting of the Major Use Permit Modification (W⁵) are made:

(a) The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures with consideration given to

1. Harmony in scale, bulk, coverage, and density

The fact supporting Finding (a-1) is as follows:

Biological open space will be compatible with the scale, bulk and coverage of the area.

2. The availability of public facilities, services, and utilities.

The fact supporting Finding (a-2) is as follows:

Biological open space does not require any public facilities, services or utilities.

3. The harmful effect, if any, upon desirable neighborhood character

The fact supporting Finding (a-3) is as follows:

There will be no harmful effects to neighborhood character because the change from recreational vehicle parking to biological open space.

4. The generation of traffic and the capacity and physical character of surrounding streets

The fact supporting Finding (a-4) is as follows:

The change from recreational vehicle parking to biological open space, will not increase traffic generation.

5. The suitability of the site for the type and intensity of use or development which is proposed

The fact supporting Finding (a-5) is as follows:

The site immediately adjacent to open space.

- (b) The impacts, as described in Findings (a) above, and the location of the proposed use will be consistent with the San Diego County General Plan.

The fact supporting Finding (b) is as follows:

The Modification is consistent with the General Plan because biological open space will not adversely affect the existing residential land use.

- (c) That the requirements under the California Environmental Quality Act have been complied with.

The facts supporting Finding (c) are as follows:

No adverse environmental impacts have been identified which were not considered in the previously adopted Environmental Impact Report and no new information of substantial importance has become available since said Environmental Impact Report was prepared.

- F. The following shall be the Mitigation Monitoring or Reporting Program for (P81-023w⁵)(Lake Rancho Viejo):

Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Reporting or Monitoring Program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must be adopted for the changes to a project which the County has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

The Mitigation Monitoring Program is comprised of all the environmental mitigation measures adopted for the project. The full requirements of the program (such as what is being monitored, method and frequency, who is responsible, and required time frames) are found within the individual project conditions. These conditions are referenced below by category under the mechanism which will be used to ensure compliance during project implementation.

1. Subsequent Project Permits

Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied:

C.1-4., D.1-3.

2. Annual Inspections

Compliance with the following conditions is assured because the annual inspections will evaluate the status of compliance and, if necessary, pursue the remedies specified in the project permits or available under local or state law:

C.1-4., D.1-3.

3. Enforcement

Compliance with the following conditions is assured because complaints of non-compliance may be provided by the public to the County which may then investigate the status of compliance and pursue enforcement:

C.1-4., D.1-3.

4. Ongoing Mitigation

Compliance with the following conditions is assured because County staff will monitor the on-going requirements and, if necessary, pursue the remedies specified in the project permit, the security agreement, or the mitigation monitoring agreement:

C.1-4., D.1-3.

CEQA FINDINGS

- a. It is hereby found that the Planning Commission has reviewed and considered the information contained in the final EIR dated August 22, 1984 on file with DPLU as Environmental Review Number 80-2-136 prior to making its decision on the project;
- b. The "Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document" dated May 23, 2007 on file with DPLU as

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Environmental Review Number 80-02-136E including California Environmental Quality Act Guidelines Sections 15162, 15163, and 15164 Findings for Determining the Appropriate Environmental Documentation to be completed when there is a previously certified Environmental Impact Report (EIR); is hereby adopted.

STORMWATER FINDINGS

“It is hereby found that the project proposed by the application has prepared plans and documentation demonstrating compliance with the provisions of the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance.”

RESOURCE PROTECTION ORDINANCE FINDINGS

“It is hereby found that the use or development permitted by the application is consistent with the provisions of the Resource Protection Ordinance”

NOTICES:

NOTICE: The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on June 13, 2008.

NOTICE: THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

NOTICE: – The project relies on CEQA 15162 - 15164 Findings and the previous Fish and Game Fees paid in the amount of \$875.00 for the review of the Negative Declaration, Receipt number 211409 dated March 4, 2004.

NOTICE: Low Impact Development (LID) requirements apply to all priority projects as of March 25, 2008. These requirements are found on page 19 (Section D.1.d. (4) a & b) of the Municipal Storm water Permit:

<http://www.swrcb.ca.gov/rwqcb9/programs/stormwater/sd%20permit/r9-2007-0001/Final%20Order%20R9-2007-0001.pdf>.

The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate

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to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. You can access the Handbook at the following DPLU web address: http://www.sdcounty.ca.gov/dplu/LID_PR.html.

NOTICE: On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit must be implemented beginning March 25, 2008. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link on Page 19, Section D.1.d (4), subsections (a) and (b):

<http://www.swrcb.ca.gov/rwqcb9/programs/stormwater/sd%20permit/r9-2007-0001/Final%20Order%20R9-2007-0001.pdf>.

All priority projects must minimize directly connected impervious areas and promote biofiltration. D.1.d(4) subsections (a) and (b) are the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements: Disconnect impervious surfaces, Design impervious surfaces to drain into properly designed pervious areas, Use pervious surfaces wherever appropriate, Implement site design BMPs. The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

BOARD10\P81023.DEC;tf

Attachment D

Environmental Documentation



GARY L. PRYOR
DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
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338 VIA VERA CRUZ • SUITE 201
SAN MARCOS, CA 92069-2620
(760) 471-0730

EL CAJON OFFICE
200 EAST MAIN ST. • SIXTH FLOOR
EL CAJON, CA 92020-3912
(619) 441-4030

Environmental Review Update Checklist Form For projects with Previously Approved Environmental Documents

FOR PURPOSES OF CONSIDERATION OF Lake Rancho Viejo Deletion of RV Parking SPA 07-001; P81-023W5; ER80-02-136E

May 23, 2007

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously certified EIR:

The Board of Supervisors certified the Final Environmental Impact Report (FEIR) for the project on July 1, 1981 (LSP80-04, TM4249, P81-06, and Log #80-2-136). This FEIR found that the project would have significant and not mitigable impacts to air quality, agriculture/development pressure, biology and aggregate resources (for which there were overriding findings made); significant but mitigable impacts to flooding, dark sky, public services, archaeology, soils/geology/erosion potential; and not significant impacts to noise, traffic, growth induction and landform/visual quality. Mitigation measures discussed in the FEIR were made conditions of project approval.

Furthermore, the following addendum/addenda were reviewed:

Addendum 1

On July 8, 1996, an addendum to the 1981 FEIR was approved in connection with a Specific Plan Amendment and a Major Use Permit Modification for the project. The addendum disclosed that the change in the residential product and construction

method (from manufactured to conventional building) on Units II and III of the Lake Rancho Viejo Specific Plan would not create additional significant impacts.

Addendum 2

As part of the project's Major Use Permit Modification in 1996, the County required the Director of Public Works to make a determination that the residential building sites would be flood-free.

In 2004, the Department of Public Works (DPW) issued Grading Permit L-1582 to the applicant for the development of Unit III, a 52 acre area within the Lake Rancho Viejo Specific Plan. A subsequent Addendum was required because compliance with conditions from the 1996 Major Use Permit Modification and improvements to the existing flood control channel resulted in a change in grading from what was originally analyzed in the 1981 FEIR. The subsequent Addendum, dated April 7, 2004, disclosed that the change in the grading plan for Unit 3 of the Lake Rancho Viejo Specific Plan would not create additional significant impacts provided certain design features were incorporated.

Addendum 3

On June 28, 2006, the Department of Planning and Land Use approved a Site Plan for Community Design Review for the development of 78 residential home sites within Unit III of Lake Rancho Viejo Specific Plan. Each individual home site consisted of a residence and associated landscaping, fencing and walls. The Site Plan was required to implement Scenic Preservation Guidelines for the I-15 Scenic Corridor. A subsequent Addendum was required because new design requirements were necessary based on an updated study for hazards and a new transportation ordinance adopted subsequent to the last environmental review.

2. Lead agency name and address:

County of San Diego, Department of Planning and Land Use
5201 Ruffin Road, Suite B,
San Diego, CA 92123-1666

- a. Contact Maggie Loy, Land Use/Environmental Planner
- b. Phone number: (858) 694-3736
- c. E-mail: Maggie.Loy@sdcounty.ca.gov

3. Project applicant's name and address:

K. Hovnanian Companies of California
420 Stevens Avenue, Suite 170
Solana Beach, CA 92075

4. Summary of the activities authorized by present permit/entitlement application(s):

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The project involves the construction of 202 detached single-family residences and associated driveways, landscaping, fences, and walls, the development of various amenity lots, and dedication and management of biological open space.

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES

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NO

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The project is substantially the same as the previously approved Tentative Map and modified Major Use Permit. The type and intensity of development and the impacts associated with the development remain the same as those reviewed in the previous discretionary permits.

The project is a major use permit modification (P 80-023W5) and specific plan amendment (SPA 07-001) to remove the recreational vehicle parking area on lots 1009 and 1010 of the Lake Rancho Viejo Major Use Permit and to designate open space over that area. Lake Rancho Viejo is an approved Residential Project, with most residents occupying the project. The project is located in the Lake Rancho Viejo Specific Plan Area in Fallbrook Community Plan area in the unincorporated part of the County of San Diego. The General Plan Regional Category is SSA; Land Use Designation is 21 – SPA (0.81) and the Zoning for the project site is RV3. There are no existing structures on the subject parcels. Access to the site is via Dulin Road; through the Lake Rancho Viejo development to the open space area south of the development. No roads need to be built. No public services are required to implement the project. No grading is proposed. No phasing is proposed.

6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

☒ NONE

☐ Aesthetics

☐ Agriculture Resources

☐ Air Quality

☐ Biological Resources

☐ Cultural Resources

☐ Geology/Soils

☐ Hazards & Haz. Materials

☐ Hydrology/Water Quality

☐ Land Use/Planning

☐ Mineral Resources

☐ Noise

☐ Population/Housing

☐ Public Services

☐ Recreation

☐ Transportation/Traffic

☐ Utilities/Service Systems

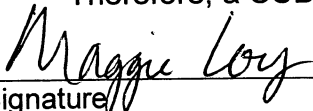
☐ Mandatory Findings of Significance

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DETERMINATION:

On the basis of this analysis, the Department of Planning and Land Use has determined that:

- ☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously certified EIR and subsequent addenda are adequate without modification.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.


Signature

5/23/07
Date

Maggie Loy
Printed Name

Project Manager
Title

INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

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CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND are necessary.

The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

I. AESTHETICS – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

YES
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NO
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II. AGRICULTURAL RESOURCES – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agricultural resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use and/or conflicts with existing zoning for agricultural use or Williamson Act contract?

YES
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NO
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III. AIR QUALITY – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES
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NO
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IV. BIOLOGICAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biological resources including: adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and/or conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

YES
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NO
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V. CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; destroying a unique paleontological resource or site or unique geologic feature; and/or disturbing any human remains, including those interred outside of formal cemeteries?

YES
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NO
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VI. GEOLOGY AND SOILS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from geology and soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

YES
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NO
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VII. HAZARDS AND HAZARDOUS MATERIALS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES

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NO

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VIII. HYDROLOGY AND WATER QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act ; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

YES

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NO

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IX. LAND USE AND PLANNING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

YES

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NO

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X. MINERAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES

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NO

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XI. NOISE -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

YES

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NO

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XII. POPULATION AND HOUSING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES

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NO

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XIII. PUBLIC SERVICES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES

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NO

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XIV. RECREATION -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES

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NO

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XV. TRANSPORTATION/TRAFFIC -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service standard established by the county congestion management agency for designated roads or highways; a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

YES

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NO

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Since the project was approved, the County of San Diego has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County. This program includes the adoption of a Transportation Impact Fee (TIF) program to fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development. This program is based on a summary of projections method contained in an adopted planning document, as referenced in the State CEQA Guidelines Section 15130 (b)(1)(B), which evaluates regional or area wide conditions contributing to cumulative transportation impacts. Based on SANDAG regional growth and land use

forecasts, the SANDAG Regional Transportation Model was utilized to analyze projected build-out (year 2030) development conditions on the existing circulation element roadway network throughout the unincorporated area of the County. Based on the results of the traffic modeling, funding necessary to construct transportation facilities that will mitigate cumulative impacts from new development was identified. Existing roadway deficiencies will be corrected through improvement projects funded by other public funding sources, such as TransNet, gas tax, and grants. Potential cumulative impacts to the region's freeways have been addressed in SANDAG's Regional Transportation Plan (RTP). This plan, which considers freeway buildout over the next 30 years, will use funds from TransNet, state, and federal funding to improve freeways to projected level of service objectives in the RTP.

The current application will result in the construction of 202 homes (202 DU x 12 ADT) which will generate 2,424 ADT. These trips will be distributed on circulation element roadways in the unincorporated county that were analyzed by the TIF program, some of which currently or are projected to operate at inadequate levels of service. The potential growth represented by this project was included in the growth projections upon which the TIF program is based. Therefore, payment of the TIF, which will be required at issuance of building permits, in combination with other components of the program described above, will avoid the potential for significant impacts.

XVI. UTILITIES AND SERVICE SYSTEMS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES
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NO
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE: Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number

or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

YES

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NO

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Attachments

- Previous environmental documentation (including any previous addenda, Negative Declarations, or EIRs (including Supplemental of Subsequent EIRs)
- Extended Initial Studies – Fire Protection Plan and Stormwater Management Plan

XVIII. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW UPDATE CHECKLIST FORM

"Stormwater Management Plan for Lake Rancho Viejo Unit 3." Rick Engineering. April 20, 2006.

"Fire Protection Plan / Fuel Modification Plan for the Lake Rancho Viejo Development Tract #4249-3." Hunt Research Corporation. April, 2006.

Anthony J. Lewis, "Seiche," Discovery Channel School, original content provided by World Book Online, <http://www.discoveryschool.com/homeworkhelp/worldbook/atozgeography/s/500060.html>, June 25, 2001.

California Department of Fish and Game. Fish and Game Code, Section 1600 *et. seq.*

California Environmental Quality Act, CEQA Guidelines 1997

California Environmental Quality Act. 2001. California Code of Regulations, Title 14, Chapter 3, Section 15382.

California Integrated Solid Waste Management Act, 1989

California Integrated Waste Management Board, Title 14, Natural Resources, Division 7

California Integrated Waste Management Board, Title 27, Environmental Protection, Division 2, Solid Waste

California Public Resources Code, CPRC, Sections 40000-41956

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City of Los Angeles, L.A. CEQA Thresholds Guide, Section C Geology, D Water Resources

County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3

County of San Diego Conservation Element of the General Plan (especially Appendices G
– Unique Geological Features, Pages X-G-1thru X-G-7)

County of San Diego Public Facility Element of the General Plan (Section 6-Solid Waste,
XII-6-1)

County of San Diego Scenic Highway Element of the General Plan

County of San Diego Zoning Ordinance (Agricultural Use Regulation, Sections 2700-2720)

County of San Diego. Resource Protection Ordinance, Article II (16-17). October 10, 1991

County of San Diego. 1997. Multiple Species Conservation Program, County of San
Diego Biological Mitigation Ordinance

County of San Diego Watershed Protection, Stormwater Management, and Discharge
Control Ordinance (WPO) (Ordinance Nos. 9424 and 9426, County Codes §§ 67801
et seq.), February 20, 2002

Farmland Mapping and Monitoring Program, California Department of Conservation,
Division of Land Resource Protection, 1998

<http://www.lacity.org/EAD/laceqa/ceqa/index.html>

Order No. 2001-01, NPDES No. CAS 0108758, California Regional Water Quality Control
Board, San Diego Region

Ordinance 8334, An Ordinance to amend the San Diego County Code of Regulatory
Ordinances relating to Flood Damage Prevention, Adopted by the Board of Supervisors
on 12/7/93

Public Resources Code Sections 4290 and 4291

San Diego County Light Pollution Code (San Diego County Code Section 59.101)

The Importance of Imperviousness from *Watershed Protection Techniques* Vol. 1, No. 3 -
Fall 1994 by Tom Schueler Center for Watershed Protection

The Resource Conservation and Recovery Act (RCRA), 1976

Uniform Fire Code, Article 9 and Appendix II-A, Section 16

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Ventura County Initial Study Assessment Guidelines, Ventura County, November 1992.

Water Quality Control Plan for the San Diego Basin (9), California Regional Water Quality Control Board, San Diego Region

Wetland Training Institute, Inc. 1993. Wetland Delineation Lecture Notes based on Corps of Engineers 1987 Manual

Attachment E

Public Documentation

FALLBROOK COMMUNITY PLANNING GROUP

Regular Meeting

Monday, March 17, 2008, 7:00 PM, Live Oak School, 1978 Reche Road, Fallbrook

MINUTES

4. SP81-02 Lake Rancho Viejo Specific Plan Amendment and Major Use Permit request for modification to remove the 3.5 acre lot that has been designated as a "Recreational Vehicle Parking Area" and redesign it as Open Space. County planner Larry Hofreiter 858-694-8846. Continued at the 18 February FCPG meeting. **Design Review Committee**. Community input. Voting item. (1/23)

This project had been continued for a month to allow home owners to get together to discuss this change of use and voice their comments and recommendations to DRB and PG. Lee Vance represented K Hovanian and gave a history of this project. The site is near Keys Creek.. The County now sees this as "precious habitat" and according to Mr. Vance will not allow paving it or use for vehicle parking. Mr. Vance also stated that K Hovanian had previously wanted to make this area a park and DPLU was not in favor and recommended Biological Open Space.

Design Review had voted to deny the Biological Open Space, since this land designation does not allow clearing and this would present a significant fire threat to the many adjoining homes. (as demonstrated by the recent fires in San Diego County). DRB mentioned that CSA-81 had expressed interest in this property and might purchase it and develop a park. Harry Williams representing many homeowners said that although they might have different suggestions about what this space should be used for, they all agree that they do not want biological open space because of the fire danger. Another homeowner Becky _____ said the fire issue is real, and is concerned about teens hanging out and vandalism with open space.

ToM Harrington suggested placing the land in a Fire Buffer Open Space, a category new to most members. Harry Christiansen commented that paved parking areas can hold fuel/lubricant drainage and become fire-prevalent, whereas gravel will allow seepage. Eileen Delaney moved to deny SPA Amendment and MUP modification because of significant fire danger, and strongly encouraged Staff, Applicant and Homeowners to get together to find a solution that is mutually beneficial and acceptable to all parties. This motion was approved 11 to 0. .

DESIGN REVIEW COMMITTEE MINUTES FOR MARCH 12, 2008 FALLBROOK COMMUNITY PLANNING GROUP

The meeting was called to order at 3:00 p.m. at the Sheriff's Station, 388 East Alvarado, by Chair Eileen Delaney. Several members of the committee had met at 2 p.m. at the Fallbrook View Apartments for a presentation on the proposed monument sign at that location.

Members Present: Bill Bopf, Anne Burdick, John Crouch, Eileen Delaney, Jackie Heyneman, Jedda Lorek, Ron Miller, Ike Perez, Mary Jane Pfiel, and Bob Sabus. Absent: Marie Kinnaman.

3. SP81-02 Lake Rancho Viejo Specific Plan Amendment and Major Use Permit request for modification to remove the 3.5 acre lot that has been designated as a "Recreational Vehicle Parking Area" and redesign it as Open Space. County planner Larry Hofreiter 858-694-8846. Continued at the 18 February FCPG meeting. **Design Review Committee.** Community input. Voting item. (1/23)

The applicant was not present at the beginning of the meeting. Harry Williams, representing the home owners informed the committee that he had been assured by the County that they will work on the wording to ensure that the land can be cleared.

Jackie Heyneman moved to recommend denial of the request for biological open space because it would create a significant fire danger as demonstrated by the recent Rice Fire that was fueled in part by uncleared open spaces and further recommend that the developer and the homeowners to work out a solution that is mutually beneficial to both parties. The motion was passed unanimously.

A spokesperson for Hovnanian, the LRV Developer, arrived at the end of the DR meeting and informed the committee that the developer is not permitted to pave the open area nor store RV's there, because the County considers it "precious habitat." He was informed of the earlier denial by the committee, and was urged to attend the Monday night meeting of the full Planning Group in order to make his presentation. He indicated he would do so.

Chair Delaney also reported to the committee and applicant that CSA-81 might be interested in obtaining this parcel and turning it into a park. This would be at their expense.

March 1, 2008

Larry Hofreiter, Project Manager
Regulatory Planning
Department of Planning and Land Use
5201 Ruffin Road
Suite B
San Diego, Ca 92123

Mr. Hofreiter

Subject: Lake Rancho Viejo Specific Plan Amendment and Major Use Permit
Modification

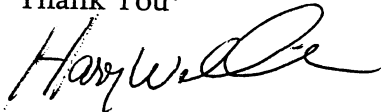
In your letter dated January 23, 2008 it states that within the project it is proposed to remove approximately 3.5 acres designated for recreational vehicle storage, and to re-designate the area as biological open space.

As a resident of this community I have great concerns about this 3.5 acres as a (1) recreational vehicle storage because of its limited use to few residents (2) security that will be needed to insure safe usage of such a storage lot (3) maintenance of such a storage lot as it burdens the HOA in future use.

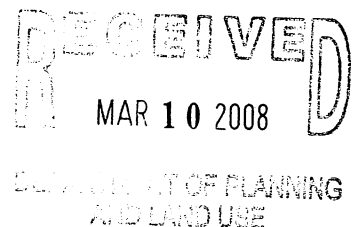
In turning this acreage into a Biological Open Space I am troubled with fear that without continual maintenance and a Defensive Space for fire relief it will be hazardous to immediate and nearby homeowners. If the decision by the County is re-designate to Open Space, please make sure there are conditions to allow for Defensive Fire Space for protection to homeowners.

Please feel free to notify me when the date of this decision is to be made.

Thank You



Harry Williams
3535 Lake Shore Ave
Fallbrook, Ca 92028



March 8, 2008

Dear Mr. Hofreiter,

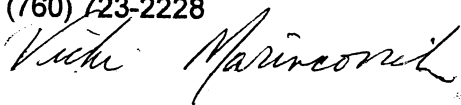
My name is Vicki Marincovich and my new home is in Unit III, phase 7 in the new development in Lake Ranch Viejo. My address is 3874 Lake Circle Drive, Fallbrook. I strongly oppose the development of a proposed park in the open space (Parcel 125-100-31, 125-100, 32 Lot numbers 347 & 348) in the rear of my new home. I believe my new neighborhood is going to be greatly affected if this rural area is open for the public use. I would like for consider the following reasons for my opposition. I have two major concerns; one is security and the second is the potential fire risk.

Currently we are facing a tremendous vandalism problem in our neighborhood. If this concern was not such an issue at this time, I don't believe I would be so strongly against opening up such area for public use and enjoyment. In regards to the current vandalism, my neighbor's property glass walls and block walls were recently tagged. Approximately 25 walls have been broken and are still broken on Lake Circle Drive. These glass walls are expensive fire resistant property walls. Also the park at the entrance to Lake Circle Drive has also been tagged in recent months. Another neighbors vehicle license plate and another car hood has been tagged. There are also many other areas that have been affected by vandalism in my neighborhood. Please notify our association or the builder to confirm the matters of the vandalism. The sheriff department has also been called many times and can confirm these matters.

Based on some rebellious teens in our community, it would be a huge mistake that would affect all of the people who live in Lake Rancho Viejo. If a park were developed, it would be absolutely impossible to secure with 24-hour security. This is a very remote area and I am greatly concerned about what type of individual might be attracted to use this area at night. I can see this area from the rear of my house and I would never be able to relax not knowing what rebellious teenagers were doing in this remote area behind my house at night.

Lastly, I believe there would be more of a fire risk to allow this area open for the public. I believe if this area were simply cleared when necessary, it would pose a smaller risk of a fire hazard. One single cigarette butt carelessly thrown by a rebellious teenager could quickly start an enormous wild fire.

Thank you,
Vicki Marincovich
(760) 723-2228



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MAR 10 2008

DEPARTMENT OF PLANNING
AND LAND USE

Attachment F

Ownership Disclosure



COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE

APPLICANT'S STATEMENT OF DISCLOSURE OF CERTAIN OWNERSHIP INTERESTS ON APPLICATION FOR LAND USE AMENDMENTS AND PERMITS PURSUANT TO ORDINANCE NO. 4544 (N.S.)

This ordinance requires that the following information must be disclosed at the time of filing of this disclosure form.

A. List the names of all persons having an interest in the application:

K. HERNANDEZ COMPANIES OF
CALIFORNIA

List the names of all persons having any ownership interest in the property involved:

K. HERNANDEZ COMPANIES OF
CALIFORNIA

B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustee of the trust.

NOTE: Section 1127 of The Zoning Ordinance defines Person as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

NOTE: Attach additional pages if necessary.

J. B. Hernandez
Signature of Applicant

12/20

SDC DPLU RCVD 01-26-07
SPA 07-001
P81-023W5

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CA 92123-1600 • (619) 444-2201 • FAX (619) 444-2202

Attachment G

Land Use Analysis

LAND USE ANALYSIS**I. Planning/Design Issues****A. General Plan****1. Regional Land Use Element**

The project is located within a (21) Specific Plan Area designation and is subject to the Lake Rancho Viejo Specific Plan, which was adopted in 1981.

The project proposes to amend the specific plan by removing recreational vehicle storage on approximately 3.5 acres and re-designating that area as biological open space. The project is consistent with the Lake Rancho Viejo Specific Plan text, and entails amending one exhibit to remove a recreational vehicle storage notation and to re-label it as open space.

2. Community Plan

The project is located in the Fallbrook community and complies with the goals and policies noted in the Fallbrook Community Plan which state: “It is the goal of the County of San Diego to encourage preservation, as permanent open space areas [are] unsuitable for intense development.

(1) Floodplains and natural stream courses should be preserved in permanent open space and uses limited to recreational or light agricultural uses.” Replacing the recreational vehicle storage lot with open space is more compatible with the flood channel and biological open space that are immediately adjacent to the property.

Additionally, the project complies with the Interstate 15 / Highway 76 / Interchange Master Specific Plan as noted on pages 31 through 36 in the Fallbrook Community Plan. The plan summarizes development regulations for the Lake Rancho Viejo Specific Plan (81-02) and states “...in order to conserve the valuable riparian –associated resources west of Interstate 15 on the Lake Rancho Viejo property, it is recommended that the floodplain and immediate uplands be reserved as permanent open space.” Replacing a recreational vehicle storage lot with open space is therefore consistent the provisions noted in the Interstate 15 / Highway 76 / Interchange Master Specific Plan.

B. Zoning

1. Density

The RV3 zoning regulations specify a maximum density of 2.75 du/acre. The open space designation would not result in any additional dwelling units and it is therefore consistent with the density regulations.

2. Other Development Regulations

Zoning is RV Variable Family Residential with a 3,000 sq.ft. minimum lot size and Special Area Designator's "B" and "P". The "B" designator requires Community Design Review which requires the project to be reviewed by the Fallbrook Design Review Board as well as the I-15 Design Review Board. The project was sent to both groups for review.

The "P" designator applies Planned Development Area regulations to the property to insure the preservation of land with unique characteristics and to permit a more creative and imaginative design than what would be possible under conventional zoning regulations. The Lake Rancho Viejo Specific Plan was adopted in July 1981 and serves as the governing document for this project.

C. Major Use Permit

1. Findings

- (a) The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures with consideration given to

1. Harmony in scale, bulk, coverage, and density

The fact supporting Finding (a-1) is as follows:

Biological open space will be compatible with the scale, bulk and coverage of the area.

2. The availability of public facilities, services, and utilities

The fact supporting Finding (a-2) is as follows:

Biological open space does not require any public facilities, services or utilities.

3. The harmful effect, if any, upon desirable neighborhood character

The fact supporting Finding (a-3) is as follows:

There will be no harmful effects to neighborhood character because the change from recreational vehicle parking to biological open space.

4. The generation of traffic and the capacity and physical character of surrounding streets

The fact supporting Finding (a-4) is as follows:

The change from recreational vehicle parking to biological open space, will not increase traffic generation.

5. The suitability of the site for the type and intensity of use or development which is proposed

The fact supporting Finding (a-5) is as follows:

The site immediately adjacent to open space.

- (b) The impacts, as described in Findings (a) above, and the location of the proposed use will be consistent with the San Diego County General Plan.

The fact supporting Finding (b) is as follows:

The Modification is consistent with the General Plan because biological open space will not adversely affect the existing residential land use.

- (c) That the requirements under the California Environmental Quality Act have been complied with.

The facts supporting Finding (c) are as follows:

No adverse environmental impacts have been identified which were not considered in the previously adopted Environmental Impact Report and no new information of substantial importance has become available since said Environmental Impact Report was prepared (Addendum dated January 23, 2008).

2. Access

The project is conditioned to vacate the easement of Lake Circle Street beginning from the southeast corner of lot 37.

II. California Environmental Quality Act (CEQA)/Resource Protection Ordinance (RPO) Issues

A. CEQA

The Board of Supervisors certified an Environmental Impact Report for the project on July 1, 1981. No substantial changes are proposed in the project and there are no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no “new information of substantial importance” as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously certified EIR and subsequent addenda are adequate without modification.

B. RPO

1. Slope: The project conforms to the Resource Protection Ordinance because the average slope is less than 25 percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property.
2. Floodplain: While the project is located near a floodway/floodplain fringe area as defined in the Resource Protection Ordinance, there are no proposed improvements or grading.
3. Density: The Resource Protection Ordinance (RPO) density calculations are not applicable because the average slope is less than 25 percent and the project does not include residential development.

III. Other Issues

- A. The project complies with the provisions of the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance.